# EXHIBIT 51

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**In re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation**

Master File C.A.
No. 1:00-Civ. 1898
MDL No 1358 (SAS)

**This Document Relates To:**

*Orange County Water District v. Unocal Corp., et al.,*
04 Civ. 4968

**SUPPLEMENTAL DECLARATION OF ROY HERNDON IN SUPPORT OF PLAINTIFF'S SUPPLEMENTAL BRIEF RE STATUE OF LIMITATIONS**

I, Roy Herndon, hereby declare:

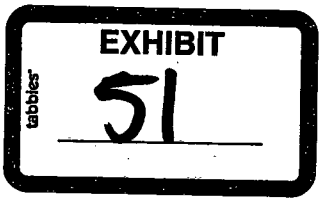
1. I am the Chief Hydrogeologist at the Orange County Water District (District). Several prior declarations I have submitted in this case set forth my qualifications. I have been employed by the District since 1988.

2. I have reviewed the Court's opinion on the statute of limitations in the District's case. This declaration addresses issues that the Court asked the District to address.

3. The Court asked whether MTBE in groundwater caused the District to act prior to May 6, 2000. The answer to that question is no. The District took no specific action with respect to MTBE in groundwater at any specific location prior to May 6, 2000, for reasons explained below.

4. The District shares authority to address groundwater contamination with the Regional Water Quality Control Board and with local oversight authorities. When a release of gasoline containing MTBE is detected by a station operator, that release is required to be reported to either the Regional Board or to local oversight authorities, or both. I am not aware of any authority that





requires that such releases be reported to the District, and such releases are not as a general matter reported to the District by station operators.

5. The District relies upon the Regional Board and local oversight authorities to initiate "first responses" to reported releases. The Regional Board and local authorities have the power to order responsible parties to engage in initial investigations and remediation efforts at release sites. The Memorandum of Understanding between the District and the Regional Board, provided to the Court in response to the defendants' primary jurisdiction motion, establishes that the Regional Board will provide initial responses to releases that threaten to contaminate groundwater.

6. The District has no reason to take action in response to a release of gasoline containing MTBE at a station where the Regional Board or local authority has received notice of a release, even when the release impacts groundwater at the site of the release, if the Regional Board or local oversight agency has ordered or undertaken remedial efforts at the site. In many cases, remedial efforts are successful and no further action is required by the District. If the Regional Board or local oversight agency elects not to order or undertake remediation, or if MTBE has escaped remediation in significant amounts, however, the MTBE may then pose a threat of appreciable harm if hydrogeologic conditions are such that the MTBE is likely to contaminate groundwater used as a drinking water source. As explained in the Memorandum of Understanding, the District may also provide technical advice, conduct investigations and remediate contamination when requested to do so by Regional Board or a discharger. The District received no such request with respect to any MTBE release site prior to May 6, 2000.

7. Determining whether MTBE has escaped remediation efforts and poses a

threat of appreciably harming groundwater used as drinking water is a lengthy, complex, and expensive process. Because of the complex, multiple-layer hydrogeology and dynamic hydrologic conditions of the Orange County groundwater basin, such determinations require detailed analyses and the installation of multiple-depth monitoring wells outside the area of initial remediation.

8. The Orange County groundwater basin covers over 300 square miles. After more than 15 years of detailed groundwater monitoring and analysis, District hydrogeologists and engineers have found that the groundwater basin is composed of three major aquifer systems, all hydraulically connected. The District refers to these as the Shallow, Principal, and Deep aquifer systems.

9. The Shallow aquifer system reaches a depth of approximately 200 feet, while the underlying Principal aquifer system reaches depths of approximately 1,500 feet. The Deep aquifer system underlies the Principal aquifer system and reaches depths of 2,000 feet or greater. Each aquifer system is composed of multiple interconnected layers of sands and gravels with intervening less-permeable (but "leaky") clays and silts.

10. Most of the approximately 200 drinking water production wells in the District currently draw groundwater from the Principal aquifer system at typical depths of 300 to 1,000 feet. The Principal aquifer system is replenished by recharge water that travels from ground surface through the Shallow aquifer system, including through intervening "leaky" clay and silt layers, into the Principal aquifer system. Only a few production wells are currently deep enough to draw water from the Deep aquifer system.

11. The Shallow aquifer system once supplied large numbers of drinking water wells. In

Care Agency (OCHCA). With respect to this earlier release, the OCHCA approved a remedial action completion certification on September 21, 2001. A true and correct copy of OCHCA's approval is attached to this declaration as Exh. 2.

23. Another release at the Edinger Avenue Chevron station was reported to OCHCA in 2003 and appears to have occurred during the process of removing an underground storage tank. A true and correct copy of the unauthorized release report to OCHCA for this site is attached to this declaration as Exh. 3. OCHCA is currently overseeing attempts to remediate this second release. A true and correct copy of a well installation report (w/o attachments) submitted to OCHCA by the station's consultant is attached to this declaration as Exh. 4. This report identifies MTBE in groundwater at the site in 2005, some four years after the 1997 release had been remediated and a closure certificate approved, at levels of 4,800 ppb (report, page 4). The District has not, at this time, received any information suggesting that the MTBE released in 2003 at the site has escaped the remediation currently being overseen by OCHCA at this site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16th day of January, 2007, at Fountain Valley, California.

Roy Herndon

# EXHIBIT 52

ATLAS ENVIRONMENTAL ENGINEERING, INC.
LICENSE NUMBER 729641

# ADDITIONAL SITE INVESTIGATION REPORT
**G&M Oil Company Station #24**
**3301 South Bristol Street**
**Santa Ana, California**

## INTRODUCTION

This report has been prepared to summarize the work performed during site investigation activities conducted at the subject property. All work was performed at the request of the Santa Ana Regional Water Quality Control Board (SARWQCB) in accordance with the approved workplan dated December 3, 2002 and recommendations from the *"Report of Additional Site Investigation"*, dated October 25, 2004. The contents of this report include site background, geology, hydrogeology, field investigation procedures and a summary of the work conducted.

### Site Identification

| | |
|---|---|
| Site Address: | G&M Oil Company Station #24<br>3301 South Bristol Street<br>Santa Ana, California 92704 |
| Responsible Party: | G&M Oil Company, Inc.<br>16868 "A" Street<br>Huntington Beach, California 92647 |
| SARWQCB Contact: | Ms. Valerie Jahn-Bull<br>SARWQCB<br>3737 Main Street, Suite 500<br>Riverside, California 92501-3339 |
| SARWQCB Case#: | 083002853T |

15701 CHEMICAL LANE, HUNTINGTON BEACH, CA 92649 (714) 890-7129 FAX: (714) 890-7149

Project Contact:

Ms. Jennifer L. Talbert
G&M Oil Company, Inc.
16868 "A" Street
Huntington Beach, California 92647

**Current Business Activities**

The subject site is currently a service station operating the retail of gasoline and diesel fuel. Four (4) underground storage tanks (USTs; three (3) 10,000-gallon capacity and one (1) 12,000-gallon capacity) service two (2) fuel dispensing islands. UST contents include diesel fuel, regular unleaded, unleaded plus and premium unleaded gasoline. Changes in the current site usage are not anticipated in the near future.

**Spill, Leak and Accident History**

On August 29, 1996, an unauthorized release form was documented, relating to the activation of leak detection alarm from the fuel system pipelines. Beyond this, no other known case of spill, leak or accident has been reported.

## BACKGROUND

**Site Description**

The subject site is located at the southeast corner of South Bristol Street and Alton Avenue in the City of Santa Ana, California (**Figure 1**). The site is rectangular in shape and encompasses an area measuring approximately 100-feet by 125-feet. Planters and driveways are located along both Bristol Street and Alton Avenue. The station building is located toward the northeast corner of the site and two (2) fuel dispensing islands are generally located in the central portion of the site. **Figure 2** presents a plan depicting existing USTs, fuel dispenser islands and other major site features.

**Previous Investigations**

On February 3, 1997, USTs were removed from the site. During UST removal activities, soil samples were collected on three (3) separate dates. On February 3, 1997, Atlas Environmental Engineering, Inc. (ATLAS) personnel collected soil samples from beneath fuel dispensers, product piping and USTs at the site. Also, soil samples were collected from the soil stockpiles remaining on-site on February 3, 6, 13 and 20, 1997. The work completed by ATLAS was reported to the SARWQCB in a letter report titled "*Tank Replacement Sampling and Proposed Remedial Assessment*", dated February 21, 1997.



SARWQCB-MTBE-004939

# TABLE 9 - SUMMARY OF GROUNDWATER ANALYTICAL DATA

G&M OIL CO. STATION #24

SANTA ANA, CA

(Concentration, µg/L)

| Well | Date | SWE | DTW | PT | E-WATER | TPHg | Benzene | Toluene | E-Benzene | Xylenes | MTBE | MTBE (8260) | ETBE | DIPE | TAME | T-Butyl Alcohol |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MW-2 * | 9/29/2004 | 37.11 | 7.98 | 0.00 | 29.13 | 765 | <1 | <1 | <1 | <1 | -- | 271 | <2 | <2 | <2 | 26800 |
| MW-2 | 10/18/2004 | 37.11 | 5.37 | 0.00 | 31.74 | 398 | <1 | <1 | <1 | <2 | -- | 9.8 | <2 | <2 | <2 | 9740 |
| MW-2 | 1/24/2005 | 37.11 | 7.95 | 0.00 | 29.16 | 1310 | 91.2 | <1 | 2.5 | 2.4 | -- | 113 | 3.4 | 6.2 | <2 | 29600 |
| MW-2 | 4/18/2005 | 37.11 | 12.91 | 0 | 24.2 | 805 | 17.9 | <2.5 | <2.5 | <5 | | 256 | 3.7 | 9.8 | <5 | 33800 |
| MW-2 | | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| MW-3 | 8/12/1997 | 35.94 | 8.00 | 0.00 | 27.94 | 34000 | 150 | 25 | 18 | 47 | 9300 | -- | -- | -- | -- | -- |
| MW-3 | 3/23/1998 | 35.94 | 6.54 | 0.00 | 29.4 | 101000 | 340 | 9.7 | 44 | 34 | 100000 | -- | -- | -- | -- | -- |
| MW-3 | 6/16/1998 | 35.94 | 6.93 | 0.00 | 29.01 | 155000 | 800 | 5.8 | 220 | 24 | 152000 | -- | -- | -- | -- | -- |
| MW-3 | 9/9/1998 | 35.94 | 7.25 | 0.00 | 28.69 | 188000 | 350 | <3 | 11 | 19 | 186000 | -- | -- | -- | -- | -- |
| MW-3 | 12/2/1998 | 35.94 | 7.50 | 0.00 | 28.44 | 122000 | <75 | <75 | <75 | <150 | 109000 | -- | -- | -- | -- | -- |
| MW-3 | 3/23/1999 | 35.94 | 7.21 | 0.00 | 28.73 | 123000 | <75 | <75 | <75 | <150 | 106000 | -- | -- | -- | -- | -- |
| MW-3 | 5/28/1999 | 35.94 | 7.30 | 0.00 | 28.64 | 151000 | <75 | <75 | <75 | <150 | 150800 | -- | -- | -- | -- | -- |
| MW-3 | 8/31/1999 | 35.94 | 7.63 | 0.00 | 28.31 | 156000 | 80 | <75 | <75 | <150 | 131000 | -- | -- | -- | -- | -- |
| MW-3 | 11/4/1999 | 35.94 | 7.59 | 0.00 | 28.35 | 154000 | 123 | 179 | <75 | <150 | 122000 | -- | -- | -- | -- | -- |
| MW-3 | 2/7/2000 | 35.94 | 7.61 | 0.00 | 28.33 | 115000 | 105 | 81 | <75 | <150 | 111000 | -- | -- | -- | -- | -- |

SWE - Surveyed Well Elevation.
DTW - Depth To Water.
PT - Product Thickness (apparent).
E-Water - Groundwater elevation.
-- - Not analyzed.
µ g/L - Micrograms per Liter.
L - Larger Sample volume is used to achieve Lower Detection Limits

TPHg - Total Petroleum Hydrocarbons as gasoline, EPA 8015M.
TPHd - Total Petroleum Hydrocarbons as diesel, EPA 8015M.
MTBE - Methyl tertiary butyl ether.
< - Less than laboratory detection limits.
NA - Not Available.
TAME - Tert-amyl methyl ether.

DIPE - Di-isopropyl ether.
ETBE - Ethyl tertiary-butyl ether.
LPH - Liquid-Phase Hydrocarbons.
* - Suspected Gauging Error.
† - Duplicate sample.
‡ - Groundwater Sampled on Alternate Days.
** - Obtained from Higher Dilution

# TABLE 9 - SUMMARY OF GROUNDWATER ANALYTICAL DATA

G&M OIL CO. STATION #24

SANTA ANA, CA

(Concentration, µg/L)

| Well | Date | SWE | DTW | PT | E-WATER | TPHg | Benzene | Toluene | E-Benzene | Xylenes | MTBE | MTBE (8260) | ETBE | DIPE | TAME | T-Butyl Alcohol |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MW-3 | 1/14/2004 | 38.43 | 19.12 | 0.00 | 19.31 | 555 | <2.5 | <2.5 | <2.5 | <5 | -- | 383 | <5 | <5 | <5 | 2710 |
| MW-3 | 4/5/2004 | 38.43 | 7.42 | 0.00 | 31.01 | 149 | <1 | <1 | <1 | <2 | -- | 117 | <2 | <2 | <2 | 430 |
| MW-3 * | 9/29/2004 | 38.43 | 9.68 | 0.00 | 28.75 | 66.3 | 8.4 | <1 | 1.0 | <2 | -- | 77.5 | <2 | <2 | <2 | 144 |
| MW-3 | 10/18/2004 | 38.43 | 8.15 | 0.00 | 30.28 | 340 | 3.4 | <1 | <1 | <2 | -- | 186 | <2 | <2 | <2 | 582 |
| MW-3 | 1/24/2005 | 38.43 | 7.46 | 0.00 | 30.97 | 208 | 1.3 | <1 | <1 | <2 | -- | 25.8 | <2 | 3.3 | <2 | 1680 |
| MW-3 | 4/18/2005 | 38.43 | 11.10 | 0 | 27.33 | 207 | 5.7 | <1 | 2.3 | <2 | | 29.6 | <2 | 4.2 | <2 | 3260 |
| MW-3 | | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| MW-4 | 8/12/1997 | 34.72 | 6.71 | 0.00 | 28.01 | 15000 | 250 | 304 | 66 | 413 | 11300 | -- | -- | -- | -- | -- |
| MW-4 | 3/23/1998 | 34.72 | 5.30 | 0.00 | 29.42 | 23000 | 180 | 15 | 28 | 46 | 21000 | -- | -- | -- | -- | -- |
| MW-4 | 6/16/1998 | 34.72 | 5.53 | 0.00 | 29.19 | 265000 | 16300 | 247 | 9000 | 2750 | 212000 | -- | -- | -- | -- | -- |
| MW-4 | 9/9/1998 | 34.72 | 5.75 | 0.00 | 28.97 | 280000 | 17000 | 3700 | 4320 | 5250 | 220000 | -- | -- | -- | -- | -- |
| MW-4 | 12/2/1998 | 34.72 | 6.50 | 0.00 | 28.22 | 125000 | 4310 | 1220 | 826 | 944 | 115000 | -- | -- | -- | -- | -- |
| MW-4 | 3/23/1999 | 34.72 | 5.85 | 0.00 | 28.87 | 93000 | 2330 | 69 | 413 | 95 | 87600 | -- | -- | -- | -- | -- |
| MW-4 | 5/28/1999 | 34.72 | 5.85 | 0.00 | 28.87 | 79400 | 5020 | 71 | 847 | 84.2 | 65600 | -- | -- | -- | -- | -- |
| MW-4 | 8/31/1999 | 34.72 | 6.27 | 0.00 | 28.45 | 99000 | 6610 | 788 | 112 | 1320 | 81300 | -- | -- | -- | -- | -- |

SWE - Surveyed Well Elevation.
DTW - Depth To Water.
PT - Product Thickness (apparent).
E-Water - Groundwater elevation.
-- - Not analyzed.
µ g/L - Micrograms per Liter.
L - Larger Sample volume is used to achieve Lower Detection Limits
TPHg - Total Petroleum Hydrocarbons as gasoline, EPA 8016M.
TPHd - Total Petroleum Hydrocarbons as diesel, EPA 8015M.
MTBE - Methyl tertiary butyl ether.
< - Less than laboratory detection limits.
NA - Not Available.
TAME - Tert-amyl methyl ether.
DIPE - Di-isopropyl ether.
ETBE - Ethyl tertiary-butyl ether.
LPH - Liquid-Phase Hydrocarbons.
* - Suspected Gauging Error.
† - Duplicate sample.
‡ - Groundwater Sampled on Alternate Days.
** - Obtained from Higher Dilution

# EXHIBIT 53

ATLAS ENVIRONMENTAL ENGINEERING, INC.

LICENSE NUMBER 729643

June 21, 2006

**Ms. Kathryn Cross**
County of Orange Health Care Agency
Hazardous Materials Management Section
1241 East Dyer Road, Suite 120
Santa Ana, California 92705-5611

RE: **G&M Oil Company Station #84 (Off-Site)**
16990 Beach Boulevard
Huntington Beach, California
***Interim Remediation Update #17***

Dear Ms. Cross:

Atlas Environmental Engineering, Inc. (ATLAS) is submitting this brief status update regarding the interim remedial activities that are being conducted off-site of the above referenced subject site (**Figure 1**). The interim cleanup program was implemented based on the Orange County Health Care Agency (OCHCA) request letter dated October 24, 2000 for aggressive mitigation of the light non-aqueous phase liquid (LNAPL). To date, fifty-three (53) dual phase extraction (DPE) events have been conducted using wells W-17, W-19, W-21, W-22, W-34, W-35, W-37, W-38, W-44, W-45. However, wells W-22, W-34, W35 and W-45 were not used during May 2006 DPE events due to low TPH concentrations in vapor and groundwater. DPE was conducted using a mobile thermal oxidizer and ATLAS mobile groundwater treatment system. The DPE events reported during this update were performed on May 17 through 19 and 24 through 26, 2006. For continuity, ATLAS will provide a summary of this data in the quarterly groundwater monitoring report.

During each DPE event, the total gallons of petroleum hydrocarbon impacted groundwater removed, vapor flow rates, vacuum and inlet vapor concentrations are measured and recorded onto field sheets. The inlet vapor concentrations are measured using a PID or FID. At the beginning and end of each DPE event, soil vapor samples are collected in tedlar bags and analyzed by a California certified laboratory for TPHg and BTEX plus fuel oxygenates by EPA Methods 8015M and 8260B. Copies of the project field sheets are included in **Appendix A.**







OCHCA-MTBE-058164

# TABLE 3 - SUMMARY OF CURRENT GROUNDWATER ANALYTICAL DATA

G&M OIL CO. STATION #04

HUNTINGTON BEACH, CA

(Concentration, µ g/L)

| Well | Date | SWE | DTW | PT | E-WATER | TPHg | Benzene | Toluene | E-Benzene | Xylenes | MTBE | MTBE (8260) | ETBE | DIPE | TAME | TBA |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| W-2 | 12/11/2006 | 26.01 | 16.83 | 0.00 | 9.18 | 2300 | <2.5 | 5.5 | 167 | 21.0 | -- | <5 | <5 | <5 | <5 | <25 |
| W-2 | | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| W-3 | 3/4/1994 | 25.89 | 19.92 | 0.00 | 5.97 | 110000 | 2100 | 16000 | 3500 | 18000 | -- | -- | -- | -- | -- | -- |
| W-3 | 9/22/1994 | 25.89 | 20.85 | 0.00 | 5.04 | 41000 | 2000 | 28000 | 1200 | 9600 | -- | -- | -- | -- | -- | -- |
| W-3 | 12/22/1994 | 25.89 | 19.74 | 0.00 | 6.15 | 7500 | <0.3 | 21000 | 2300 | 15000 | -- | -- | -- | -- | -- | -- |
| W-3 | 3/24/1995 | 25.89 | 17.60 | 0.00 | 8.29 | 81000 | 720 | 26500 | 4900 | 22500 | -- | -- | -- | -- | -- | -- |
| W-3 | 7/17/1995 | 26.03 | 19.42 | 0.00 | 6.61 | 64000 | 119 | 25000 | 3200 | 18000 | -- | -- | -- | -- | -- | -- |
| W-3 | 9/17/1995 | 26.03 | 20.80 | 0.00 | 5.23 | 66000 | <150 | 23600 | 3500 | 19800 | -- | -- | -- | -- | -- | -- |
| W-3 | 12/10/1995 | 26.03 | 21.33 | 0.00 | 4.70 | 70000 | 150 | 26000 | 3800 | 21300 | -- | -- | -- | -- | -- | -- |
| W-3 | 3/10/1996 | 26.03 | 19.61 | 0.00 | 6.42 | 70000 | 87 | 20300 | 2900 | 16000 | -- | -- | -- | -- | -- | -- |
| W-3 | 6/9/1996 | 26.03 | 19.67 | 0.00 | 6.36 | 58000 | 81 | 21000 | 3300 | 17000 | -- | -- | -- | -- | -- | -- |
| W-3 | 9/8/1996 | 26.03 | 21.96 | 0.00 | 4.07 | 79800 | 120 | 23000 | 4300 | 23000 | -- | -- | -- | -- | -- | -- |
| W-3 | 12/1/1996 | 26.03 | 22.20 | 0.00 | 3.83 | 66000 | 61 | 22000 | 4000 | 22000 | -- | -- | -- | -- | -- | -- |
| W-3 | 3/2/1997 | 26.03 | 19.70 | 0.00 | 6.33 | 37000 | <100 | 12000 | 2500 | 13000 | <200 | -- | -- | -- | -- | -- |
| W-3 | 6/15/1997 | 26.03 | 20.64 | 0.00 | 5.39 | 80600 | 45 | 15600 | 3860 | 18600 | <100 | -- | -- | -- | -- | -- |

SWE - Surveyed Well Elevation

DTW - Depth To Water

PT - Product Thickness (apparent)

E-Water - Groundwater elevation

-- - Not analyzed

µ g/L - Micrograms per Liter

L - Larger Sample volume is used to achieve Lower Detection Limits

TPHg - Total Petroleum Hydrocarbons (gasoline), EPA 8015M

TPHd - Total Petroleum Hydrocarbons (diesel), EPA 8015M

MTBE - Methyl tert-Butyl ether

< - Less than laboratory detection limits

NA - Not Available

TAME - tert-Amyl Methyl ether

DIPE - Di-Isopropyl ether

ETBE - Ethyl tert-Butyl ether

LPH - Liquid-Phase Hydrocarbons

• - Suspected Gauging Error

† - Duplicate sample

‡ - Groundwater Sampled on Alternate Days

** - Obtained from Higher Dilution

# TABLE 3 - SUMMARY OF CURRENT GROUNDWATER ANALYTICAL DATA

G&M OIL CO. STATION #04

HUNTINGTON BEACH, CA

(Concentration, μ g/L)

| Well | Date | SWE | DTW | PT | E-WATER | TPHg | Benzene | Toluene | E-Benzene | Xylenes | MTBE | MTBE (8260) | ETBE | DIPE | TAME | TBA |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| W-17 | 12/6/1998 | 26.15 | 24.29 | 0.00 | 1.86 | 66200 | 20700 | 48 | 2910 | 50.4 | 13300 | -- | -- | -- | -- | -- |
| W-17 | 3/7/1999 | 26.15 | 23.58 | 0.00 | 2.57 | 39200 | 21300 | 303 | 2680 | 407 | 16100 | -- | -- | -- | -- | -- |
| W-17 | 6/6/1999 | 26.15 | 23.42 | 0.00 | 2.73 | 69000 | 21800 | 29.1 | 1750 | 1380 | 22600 | -- | -- | -- | -- | -- |
| W-17 | 9/12/1999 | 26.15 | 25.96 | 0.00 | 0.19 | 37100 | 12300 | 73 | 1450 | 263 | 10150 | -- | -- | -- | -- | -- |
| W-17 | 11/21/1999 | 26.15 | 27.11 | 0.00 | -0.96 | 59500 | 27600 | 490 | 3040 | 2040 | 18000 | -- | -- | -- | -- | -- |
| W-17 | 3/19/2000 | 26.15 | 25.16 | 0.00 | 0.99 | 59400 | 26600 | 3360 | 3450 | 9200 | 3480 | -- | -- | -- | -- | -- |
| W-17 | 6/4/2000 | 26.15 | 24.96 | 0.00 | 1.19 | 42200 | 17500 | 159 | 1620 | 1560 | 14300 | -- | -- | -- | -- | -- |
| W-17 | 9/14/2000 | 26.15 | 27.46 | FILM | -1.31 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| W-17 | 11/22/2000 | 26.15 | 28.32 | FILM | -2.17 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| W-17 | 2/28/2001 | 26.15 | 28.00 | FILM | -1.85 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| W-17 | 5/30/2001 | 26.15 | 26.19 | 0.00 | -0.04 | 21200 | 6850 | 235 | 730 | 895 | -- | 4330 | 110 | <100 | <100 | <500 |
| W-17 | 8/15/2001 | 26.15 | 27.61 | 0.00 | -1.46 | 71400 | 22200 | 1460 | 2860 | 4240 | -- | 19900 | 500 | <400 | <400 | <2000 |
| W-17 | 11/8/2001 | 26.15 | 32.06 | 3.48 | -3.28 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| W-17 | 2/12/2002 | 26.15 | 28.50 | 0.03 | -2.32 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |
| W-17 | 5/22/2002 | 26.15 | 29.05 | 0.75 | -1.90 | LPH | -- | -- | -- | -- | -- | -- | -- | -- | -- | -- |

SWE - Surveyed Well Elevation
DTW - Depth To Water
PT - Product Thickness (apparent)
E-Water - Groundwater elevation
-- - Not analyzed
μ g/L - Micrograms per Liter
L - Larger Sample volume is used to achieve Lower Detection Limits

TPHg - Total Petroleum Hydrocarbons (gasoline), EPA 8015M
TPHd - Total Petroleum Hydrocarbons (diesel), EPA 8015M
MTBE - Methyl tert-Butyl ether
< - Less than laboratory detection limits
NA - Not Available
TAME - tert-Amyl Methyl ether

DIPE - Di-isopropyl ether
ETBE - Ethyl tert-Butyl ether
LPH - Liquid-Phase Hydrocarbons
* - Suspected Gauging Error
† - Duplicate sample
‡ - Groundwater Sampled on Alternate Days
** - Obtained from Higher Dilution

# EXHIBIT 54

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: METHYL TERTIARY BUTYL ETHER ("MTBE")

This Document Relates to:

ORANGE COUNTY WATER DISTRICT v. UNOCAL CORPORATION, et al., Case No. 04CIV.4968 (SAS)

_____/

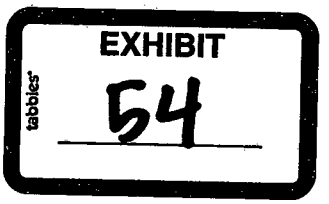
---

Wednesday, August 11, 2010

---

Telephonic hearing before Special Master Kenneth Warner in re Defendants Motion to Compel Depositions Seeking Station Specific Testimony, beginning at 12:03 p.m.

---




Reported by:
Sandra Bunch VanderPol, CSR #3032
Certified Realtime Reporter
Registered Merit Reporter
Realtime Systems Administrator credentialed
Fellow, Academy of Professional Reporters

---

GOLKOW TECHNOLOGIES, INC.
877.370.3377 ph|917.591.5672 fax
deps@golkow.com

establishes, as of the last time we're going to be able to take fact specific discovery, what do they know; what have they decided; what is the state of play.

SPECIAL MASTER WARNER: Okay. Mr. Miller? Ms. O'Reilly?

MR. MILLER: Yes. Mr. Heartney left a lot out. He's already taken a deposition of Roy Herndon, which heads the hydrogeology department --

SPECIAL MASTER WARNER: Is that the deposition from '08 or more recent?

MR. MILLER: This week --

SPECIAL MASTER WARNER: Oh, this week, okay.

MR. MILLER: -- where they were invited to ask about the Hargis work. They got maps that show the precise location for each station where the samples points are expected to occur. It is not general. They grilled him about the fact that the total costs would exceed $5 million and complained about it.

The claim that they don't know what we're currently doing at the stations is simply wrong. The claim that they haven't done discovery about it is outdated as of Mr. Roy Herndon's deposition.

They said the deposition would be done in

one day. It's not quite finished. But when it is finished, they will have covered all of that ground concerning the Hargis report.

They also have the opportunity to depose Hargis, because they are going to be designated as experts. And expert discovery has not commenced.

They are also going to be able to depose the District's hydrogeologists concerning this subject, because they will be listed as nonretained experts, who will be offering opinions in the case, and they will then insist that during the exert phase of discovery that they be deposed.

SPECIAL MASTER WARNER: Wait. I'm sorry. Is it someone besides Hargis?

MR. MILLER: Yes. The -- Roy Herndon --

SPECIAL MASTER WARNER: Oh, yes, right. Okay.

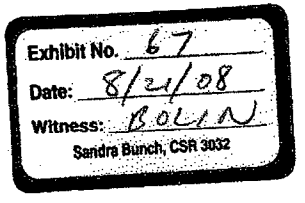
MR. MILLER: Staff members.

SPECIAL MASTER WARNER: Huh-huh. Okay.

MR. MILLER: They also said, well, we need to do depositions because of Friedman & Bruya data. They forgot to mention that they took depositions concerning the Friedman & Bruya data at length for days. They claim that they need this to catch up and wrap things up.

# EXHIBIT 55

| | A |
|---|---|
| 1 | **Chevron #9-5401 (former G&M Sta #114)** |
| 2 | 5992 Westminster Blvd, CA |
| 3 | |
| 4 | |
| 5 | Site had multiple fuel leaks between 1992 and the present, including fuel leaks that were detected or identified on 9/2/92, 4/23/97, and 8/13/96; and discovered or indicated in 1992 and 2002. |
| 6 | |
| 7 | Site had at least 21 UST inspection failures or violations in 5 inspections, including tightness tests, leak detector tests, and containment tests, from 7/22/2002 to 4/29/2003. |
| 8 | |
| 9 | Regulatory Agency has issued at least 12 notifications to RP from 11/4/95 to 3/21/08 for inadequate or ineffective investigations, work plans, reports, and remediation. |
| 10 | |
| 11 | MTBE 1st tested in groundwater: 3/5/97 in MW-03. |
| 12 | MTBE 1st detected in groundwater: 3/5/97 in MW-03 - 54,000 ug/L. |
| 13 | Max MTBE detected in a gw monitoring well: 6/13/97 in MW-03 - 65,000 ug/L. |
| 14 | |
| 15 | TBA 1st tested in groundwater: 5/15/00 in B1 (laboratory detection limit was 500 ug/L). |
| 16 | TBA 1st tested in groundwater: 10/23/00 in several MWs (laboratory detection limit was 20 ug/L). |
| 17 | TBA 1st detected in groundwater: 1/10/01 in MW-10 - 53 ug/L. |
| 18 | Max TBA detected in a gw monitoring well: 2/10/04 in MW-04 - 8,600 ug/L. |
| 19 | |
| 20 | 2 saturated zones are identified: |
| 21 | semi-perched upper zone - from ~5 to >25 ft bgs (shallow MWs screened various intervals between 5 & 25 ft bgs. |
| 22 | semi-perched lower zone - <76 to >86 ft bgs (3 wells ea w/ 3-foot screens at various depths betw 76 & 86 ft bgs). |
| 23 | Alpha Aquifer - estimated at ~165 ft bgs. |
| 24 | |
| 25 | Farthest downgradient well MW-16 (upper zone) 1st tested for MTBE & TBA on 8/9/04 - MTBE & TBA not detected. |
| 26 | 1st tested for MTBE *and* TBA on 8/9/04. |
| 27 | last tested for MTBE *and* TBA on 9/25/07 - neither MTBE or TBA detected between 8/9/04 and 9/25/07. |
| 28 | 2nd Farthest downgradient well MW-9: |
| 29 | 1st tested for MTBE on 10/23/00. |
| 30 | 1st detected MTBE detected 10/23/00 at 511 ug/L. |
| 31 | Max MTBE detected 11/4/03 at 880 ug/L. |
| 32 | 1st tested for TBA on 10/23/00. |
| 33 | 1st detected TBA detected 4/22/02 at 149 ug/L. |
| 34 | Max TBA detected 2/28/05 at 1,800 ug/L. |
| 35 | |
| 36 | Semi-perched upper zone groundwater flow direction is NW to SW (RP consultant reports). |
| 37 | Semi-perched deeper zone groundwater flow direction SW to SE (RP consultant reports). |
| 38 | Vertical groundwater gradient between upper and lower zones appears upward, but uncertain. |
| 39 | |
| 40 | Remediation: groundwater capture has never been initiated at this site: |
| 41 | No records indicating that any remediation of soil or groundwater have been identified. |
| 42 | |
| 43 | **MTBE and TBA groundwater plumes have migrated off site to the N, NW, and/or W, and possibly SE** (12/14/06 Cambria Environmental - *Fourth Quarter 2006 Groundwater Monitoring and Status Report, Chevron Station 9-5401, 5992 Westminster Boulevard, Westminster, California, Case #96UT035; 11/2/07 Conestoga-Rovers & Assoc. - Third Quarter 2007 Groundwater Monitoring and Status Report, Chevron Station 9-5401, 5992 Westminster Boulevard, Westminster, California, Case #96UT035; 12/10/07 Conestoga-Rovers & Assoc. - Monitoring Well Installation and Oxygen Injection Work Plan, Chevron Station 9-5401, 5992 Westminster Boulevard, Westminster, California, Case #96UT035* |
| 44 | |

| | A |
|---|---|
| 45 | Historic MTBE and TBA gw plumes have not been delineated laterally |
| 46 | Recent MTBE and TBA gw plumes have not been delineated laterally. |
| 47 | MTBE and TBA gw plumes have not been delineated vertically. |
| 48 | |
| 49 | MTBE & TBA gw plumes not only NOT delineated vertically, NOT even investigated (except DW-1, -2, -3). |
| 50 | |
| 51 | Groundwater conduits are near by (potential migration paths from shallow saturated zones to deeper saturated zones): |
| 52 | Nearest well: W-2399 - domestic well ~1,400 ft S of site. |
| 53 | Drilled to 670 ft bgs. |
| 54 | Screened 281 to 327, 449 to 465, and 597 to 610 ft bgs. |
| 55 | pump rate - unknown. |
| 56 | Nearest drinking water production well: HB-4 - ~3,000 ft S of site. |
| 57 | Drilled to 826 ft bgs. |
| 58 | Screened 252 to 804 ft bgs. |
| 59 | Pump rate - 3000 gpm. |
| 60 | Top of Shallow zone - ~46 ft bgs. |
| 61 | Bottom of Shallow zone - ~159 ft bgs. |
| 62 | Top of Principal Aquifer - ~169 ft bgs. |
| 63 | |
| 64 | Nearest MTBE detection in drinking water production well: |
| 65 | HB-7: 0.16 ug/L in 2006 (LIMS). |
| 66 | HB-13: 0.17 ug/L in 2005 (LIMS). |

# EXHIBIT 56

**Chevron #1921**
**3901 S. Bristol Street, Santa Ana**

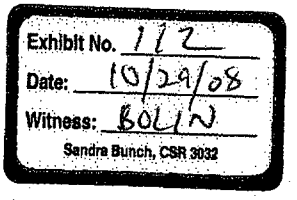
Fuel leaks were detected at the site in 1988 and 1990 during tank upgrades / replacements (Radian, 8/3/90, *Soil and Groundwater Investigation at Chevron Statoin No. 1921, Santa Ana, California;* Harding ESE, 3/21/02, *Groundwater Monitoring Wells Installation Report, Chevron Service Station No. 9-1921, 3801 South Bristol Street, Santa Ana, California CRWQCB Case No. 083001181T*).

RP **missed multiple work plan and reporting deadlines**, and did not include requested data and information in work plans and reports.

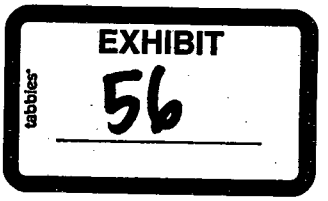
MTBE 1st tested in gw: 7/23/96 in MW-02.
MTBE 1st detected in groundwater: 7/23/96 in MW-02 - 830 ug/L.
Max MTBE detected in a gw monitoring well: 9/9/98 in MW-06 - 200,000 ug/L.

TBA 1st tested in groundwater: 10/18/00 in MW-06 (ND<2000 ug/L - detected the next time tested in well).
TBA 1st detected in groundwater: 1/16/01 in MW-06 - 59,100 ug/L.
Max TBA detected in a gw monitoring well: 1/16/01 in MW-06 - 59,100 ug/L.

2 saturated zones are identified (Radian):
semi-perched gw zone: from ~25 to >40 ft bgs.
Talbert Aquifer - ~80 ft bgs.




Off Site, Farthest downgradient wells - MW-13 & MW-15:
MTBE 1st tested: 7/23/96 in MW-13 - ND<10 ug/L.
MTBE 1st detected: 1/16/97 in MW-15 - 1.2 ug/L.
Max MTBE: 1/22/08 in MW-15 - 0.06J ug/L.
TBA 1st tested: 10/18/00 in MW-13 - ND<20 ug/L.
TBA 1st detected: 1/2/07 in MW-13 - 41 ug/L.
Max TBA: 4/7/08 in MW-13 - 1,000 ug/L.
BUT MW-13 & MW-15 not in optimum position / screened interval (see SAIC - Fig 3, 7-3-07 GW Elev map).
**MW-14 is farthest downgradient well from probable source (USTs); MW-14 on site margin**:
MTBE 1st tested in MW-14: 7/23/96.
MTBE 1st detected in MW-14: 7/23/96 - 300 ug/L.
Max MTBE detected in MW-14: 4,230 ug/L.
TBA 1st tested in MW-14: 10/18/00 (ND<1000 ug/L - detected next time tested).
TBA 1st detected in MW-14: 1/16/00 - 98 ug/L.
Max TBA detected in MW-14: 1,300 ug/L.




Semi-perched groundwater flow direction is W to S (SAIC report).
Deeper groundwater flow direction is W (ref OCWD).
Vertical groundwater gradient is down (OCWD).

**Remediation:** initiated 2005 to 2006: overpurge selected wells; **NO groundwater capture initiated.**
**late 1988 - UST removal - free product observed on water (later observed in 3 wells: MW-4, -5, -7).**
Mar-91 - VE test.
Aug-02 - free product observed - MW-05R.
Feb-03 - free product observed - MW-05R.
2005 to 2006 - overpurge selected wells.
Sep-07 - proposes to install DPE system - **9 yrs after free product discovered.**

**MTBE and TBA groundwater plumes have migrated off site W - SW - S,** but especially SW (9/25/07 SAIC - *Submittal of 3rd Quarter 2007 Progress and Groundwater Monitoring Report, Chevron Service Station No. 9-1921, 3801 South Bristol Street, Santa Ana, CRWQCB Case No. 083001181T.*

Historic MTBE and TBA gw plumes have not been delineated laterally.
Recent MTBE and TBA gw plumes have not been delineated laterally.
MTBE and TBA gw plumes have not been delineated vertically.

Groundwater conduits are near by (potential migration paths from shallow saturated zones to deeper saturated zones):

**Nearest well: W-4516 - domestic well ~335 ft NE of site:**
**Drilled to 220 ft bgs (in Principal Aquifer).**
Screened _unknown_ ft bgs.
pump rate - unkown.
Top of Shallow zone - ~38 ft bgs,
Bottom of Shallow zone - ~134 ft bgs.
Top of Principal Aquifer - ~157 ft bgs.

**Nearest pumping well: MTSN-SA - ~1,890 ft W of site - agr/irr well.**
**Drilled to 914 ft bgs (in Principal Aquifer).**
Screened: unknown
pump rate - unkown.
Top of Shallow zone - ~32 ft bgs,
Bottom of Shallow zone - ~130 ft bgs.
Top of Principal Aquifer - ~148 ft bgs.

**Nearest drinking water production well: MCWD-1B - ~5,850 ft W of site.**
**Drilled to 612 ft bgs (in Principal Aquifer).**
Screened: 305-335, 350-390, 440-500, and 540-580 ft bgs.
Pump rate - ~3000 gpm.
Top of Shallow zone - ~32 ft bgs,
Bottom of Shallow zone - ~139 ft bgs.
Top of Principal Aquifer - ~160 ft bgs.

Nearest MTBE detection in drinking water production well:
NONE yet.

**Chevron #1921**
**3901 S. Bristol Street, Santa Ana**

Fuel leaks were detected at the site in 1988 and 1990 during tank upgrades / replacements (Radian, 8/3/90, *Soil and Groundwater Investigation at Chevron Statoin No. 1921, Santa Ana, California;* Harding ESE, 3/21/02, *Groundwater Monitoring Wells Installation Report, Chevron Service Station No. 9-1921, 3801 South Bristol Street, Santa Ana, California CRWQCB Case No. 083001181T*).

RP **missed multiple work plan and reporting deadlines**, and did not include requested data and information in work plans and reports.

MTBE 1st tested in gw: 7/23/96 in MW-02.
MTBE 1st detected in groundwater: 7/23/96 in MW-02 - 830 ug/L.
Max MTBE detected in a gw monitoring well: 9/9/98 in MW-06 - 200,000 ug/L.

TBA 1st tested in groundwater: 10/18/00 in MW-06 (ND<2000 ug/L - detected the next time tested in well).
TBA 1st detected in groundwater: 1/16/01 in MW-06 - 59,100 ug/L.
Max TBA detected in a gw monitoring well: 1/16/01 in MW-06 - 59,100 ug/L.

2 saturated zones are identified (Radian):
- semi-perched gw zone: from ~25 to >40 ft bgs.
- Talbert Aquifer - ~80 ft bgs.

Off Site, Farthest downgradient wells - MW-13 & MW-15:
- MTBE 1st tested: 7/23/96 in MW-13 - ND<10 ug/L.
- MTBE 1st detected: 1/16/97 in MW-15 - 1.2 ug/L.
- Max MTBE: 1/22/08 in MW-15 - 0.06J ug/L.
- TBA 1st tested: 10/18/00 in MW-13 - ND<20 ug/L.
- TBA 1st detected: 1/2/07 in MW-13 - 41 ug/L.
- Max TBA: 4/7/08 in MW-13 - 1,000 ug/L.

BUT MW-13 & MW-15 not in optimum position / screened interval (see SAIC - Fig 3, 7-3-07 GW Elev map).
- **MW-14 is farthest downgradient well from probable source (USTs); MW-14 on site margin**:
  - MTBE 1st tested in MW-14: 7/23/96.
  - MTBE 1st detected in MW-14: 7/23/96 - 300 ug/L.
  - Max MTBE detected in MW-14: 4,230 ug/L.
  - TBA 1st tested in MW-14: 10/18/00 (ND<1000 ug/L - detected next time tested).
  - TBA 1st detected in MW-14: 1/16/00 - 98 ug/L.
  - Max TBA detected in MW-14: 1,300 ug/L.

Semi-perched groundwater flow direction is W to S (SAIC report).
Deeper groundwater flow direction is W (ref OCWD).
Vertical groundwater gradient is down (OCWD).

**Remediation:** initiated 2005 to 2006: overpurge selected wells; **NO groundwater capture initiated.**
- **late 1988 - UST removal - free product observed on water (later observed in 3 wells: MW-4, -5, -7).**
- Mar-91 - VE test.
- Aug-02 - free product observed - MW-05R.
- Feb-03 - free product observed - MW-05R.
- 2005 to 2006 - overpurge selected wells.
- Sep-07 - proposes to install DPE system - **9 yrs after free product discovered.**

**MTBE and TBA groundwater plumes have migrated off site W - SW - S,** but especially SW (9/25/07 SAIC - *Submittal of 3rd Quarter 2007 Progress and Groundwater Monitoring Report, Chevron Service Station No. 9-1921, 3801 South Bristol Street, Santa Ana, CRWQCB Case No. 083001181T.*

Historic MTBE and TBA gw plumes have not been delineated laterally.
Recent MTBE and TBA gw plumes have not been delineated laterally.
MTBE and TBA gw plumes have not been delineated vertically.

Groundwater conduits are near by (potential migration paths from shallow saturated zones to deeper saturated zones):

**Nearest well: W-4516 - domestic well ~335 ft NE of site**:
**Drilled to 220 ft bgs (in Principal Aquifer).**
Screened _unknown_ ft bgs.
pump rate - unkown.
Top of Shallow zone - ~38 ft bgs,
Bottom of Shallow zone - ~134 ft bgs.
Top of Principal Aquifer - ~157 ft bgs.

**Nearest pumping well: MTSN-SA - ~1,890 ft W of site - agr/irr well.**
**Drilled to 914 ft bgs (in Principal Aquifer).**
Screened: unknown
pump rate - unkown.
Top of Shallow zone - ~32 ft bgs,
Bottom of Shallow zone - ~130 ft bgs.
Top of Principal Aquifer - ~148 ft bgs.

**Nearest drinking water production well: MCWD-1B - ~5,850 ft W of site.**
**Drilled to 612 ft bgs (in Principal Aquifer).**
Screened: 305-335, 350-390, 440-500, and 540-580 ft bgs.
Pump rate - ~3000 gpm.
Top of Shallow zone - ~32 ft bgs,
Bottom of Shallow zone - ~139 ft bgs.
Top of Principal Aquifer - ~160 ft bgs.

Nearest MTBE detection in drinking water production well:
NONE yet.

# EXHIBIT 57

**Unocal #5376**
**8971 Warner Avenue, Fountain Valley**

**Multiple fuel leaks** were detected at the site in 1989 and indicated later (free product detected in wells leading away from site - MW-4, MW-7, MW-10, MW-13 & MW-14 up to Aug-00) during facility (tanks, dispensers, and pipes) upgrades / replacements (UST Unauthorized Release (Leak) Contamination Site Reports).

**Agencies made numerous requests for action - NOV issued in 2007 - unwillingness to maintain UST inspection records.**

MTBE 1st tested in gw: 7/1/96 in MW-5.
MTBE 1st detected in groundwater: 7/1/96 in MW-5 - 71 ug/L.
**Max MTBE** detected in a gw monitoring well: **2/0/01 in MW-14 (off-site) - 1,200 ug/L.**
**MTBE spike in 2005 in** well MW-4 - possibly new release - MW-4 is adjacent to dispenser island.

**DIPE detectd in MW-16 (on site, adjacent between dispensers) - 2001 to 2006.**
**DIPE detected in MW-7 (downgradient, site margin) - 2001 to 2004.**
**DIPE and ETBE detected in MW-10 (downgradient, off-site) - 2001 to 2005; TAME detected in 2005.**
**DIPE detected in MW13 & -13A (downgradient, off-site at site margin) - 2001 to 2004.**
**DIPE and ETBE detected in MW-14 (downgradient, off-site) - 2001 to ~2004; DIPE also in 2005 to 2007.**

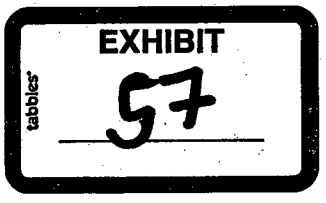
TBA 1st tested in groundwater: 4/16/01 in MW-14 (ND<3,000 ug/L - detected 1st time tested at below 300 ug/L).
TBA 1st detected in groundwater: 7/30/02 in well MW-14 - 290 ug/L.
**Max TBA** detected in a gw monitoring well: **7/30/02 in well MW-14 - 290 ug/L.**

2 saturated zones are identified (ENSR):
semi-perched gw zone 20 to >40 ft bgs:
Exxon #4283 (south, across street from site) reports 3 zones in semi-perched - "upper," "middle," and "lower."
Unocal #5376 wells are screened across two zones: "upper" and "middle" semi-perched zones.
Talbert Aquifer: top at ~60 ft bgs.

Off Site - farthest downgradient wells: MW-15 (SE).
MTBE 1st tested: 7/1/96.
MTBE 1st detected: 12/27/96 - 140 ug/L.
Max MTBE: 12/27/96 - 140 ug/L.
TBA 1st tested: 8/4/05.
TBA 1st detected: 8/21/07 - 12J ug/L.
Max TBA: 8/21/07 - 12J ug/L.
**On-site - site-margin well MW-7 in downgradient SE direction:**
MTBE 1st tested: 9/16/96.
MTBE 1st detected: 3/3/97 - 180 ug/L.
Max MTBE: 11/17/99 - 300 ug/L (still detected today at MCL).
DIPE 1st tested 4/16/01.
DIPE 1st detected: 4/16/01 - 23 ug/L.
Max DIPE: 2/27/04 - 35 ug/L.

Semi-perched groundwater flow direction is SE (ENSR report).
Deeper groundwater (Talbert ) flow direction is unreported (ENSR report).
**Vertical gw gradient is downward (OCWD).**





**Remediation: SVE initiated in 1996; NO groundwater capture initiated.**
Sep-89 - USTs, dispensers, and piping removed - hydrocarbon contaminated soil and gw detected, soil exavated.
Nov-91 - **free product observed in downgradient site margin well (MW-4).**
additionally, **free product observed in downgradient wells (MW-7, MW-10, MW-13 & MW-14).**
Jan-93 - USTs removed from site, again.
1996 - SVE initiated - **7yrs after detecting contaminated soil and groundwater.**
1999 - SVE discontinued.
2000 - SVE restarted.
2003 - SVE discontinued again; Closure Request made to **OCHCA - denied closure**.
2004 - SVE restarted again.
2005 - SVE discontinued again; Closure Request made to **OCHCA - denied closure Mar-07**.
Mar-05 - site sold to Jiffy-Lube.
**Jan-07** - notice of violation (**NOV**) issued for inspection violation (**on-going for 16 months; multiple warnings**).

**MTBE and TBA groundwater plumes have migrated off site SE** (4/15/08 ENSR - *Quarterly Groundwater Monitoring Report, First Quarter 2008, Chevron Site ID No. 306631 (Former Unocal Service Station No. 5376, 8971 Warner Avenue, Huntington Beach, California, Case No. 89UT168).*

Historic MTBE and TBA gw plumes have not been delineated laterally.
Recent MTBE and TBA gw plumes have not been delineated laterally.
MTBE and TBA gw plumes have not been delineated vertically.

**Groundwater conduits (potential migration paths from shallow saturated zones to deeper saturated zones):**
**Nearest well in Shallow Aqufier: W-2210** - agg/irr well ~1,100 ft E of site (downgradient in semi-perched zone).
Drilled to 386 ft bgs (Principal Aquifer).
Screened 114 to 124 ft bgs (Shallow Aquifer).
Sanitary seal - NO
pump rate - unknown.
Top of Shallow zone - ~44 ft bgs,
Bottom of Shallow zone - ~190 ft bgs.
Top of Principal Aquifer - ~225 ft bgs.
**Nearest drinking water production well: HB-9** - (Principal Aquifer) ~600 ft W of site - in downgrad direction.
Drilled to 1,010 ft bgs.
Screened: 556 to 996 ft bgs.
Sanitary seal - YES.
pump rate - 5,000 gpm.
Top of Shallow zone - ~41 ft bgs,
Bottom of Shallow zone - ~170 ft bgs.
Top of Principal Aquifer - ~192 ft bgs.

**Nearest MTBE detection in drinking water production well:**
**NB-TAMD: 0.12 ug/L in 2005.**
**NB-TAMD: 0.04 ug/L in 2008.**

**Unocal #5376**
8971 Warner Avenue, Fountain Valley

**Multiple fuel leaks** were detected at the site in 1989 and indicated later (free product detected in wells leading away from site - MW-4, MW-7, MW-10, MW-13 & MW-14 up to Aug-00) during facility (tanks, dispensers, and pipes) upgrades / replacements (UST Unauthorized Release (Leak) Contamination Site Reports).

**Agencies made numerous requests for action - NOV issued in 2007 - unwillingness to maintain UST inspection records.**

MTBE 1st tested in gw: 7/1/96 in MW-5.
MTBE 1st detected in groundwater: 7/1/96 in MW-5 - 71 ug/L.
**Max MTBE** detected in a gw monitoring well: **2/0/01 in MW-14 (off-site) - 1,200 ug/L.**
**MTBE spike in 2005** in well MW-4 - possibly new release - MW-4 is adjacent to dispenser island.

**DIPE detectd in MW-16 (on site, adjacent between dispensers) - 2001 to 2006.**
**DIPE detected in MW-7 (downgradient, site margin) - 2001 to 2004.**
**DIPE and ETBE detected in MW-10 (downgradient, off-site) - 2001 to 2005; TAME detected in 2005.**
**DIPE detected in MW13 & -13A (downgradient, off-site at site margin) - 2001 to 2004.**
**DIPE and ETBE detected in MW-14 (downgradient, off-site) - 2001 to ~2004; DIPE also in 2005 to 2007.**

TBA 1st tested in groundwater: 4/16/01 in MW-14 (ND<3,000 ug/L - detected 1st time tested at below 300 ug/L).
TBA 1st detected in groundwater: 7/30/02 in well MW-14 - 290 ug/L.
**Max TBA** detected in a gw monitoring well: **7/30/02 in well MW-14 - 290 ug/L.**

2 saturated zones are identified (ENSR):
- semi-perched gw zone 20 to >40 ft bgs:
  - Exxon #4283 (south, across street from site) reports 3 zones in semi-perched - "upper," "middle," and "lower."
  - Unocal #5376 wells are screened across two zones: "upper" and "middle" semi-perched zones.
- Talbert Aquifer: top at ~60 ft bgs.

Off Site - farthest downgradient wells: MW-15 (SE).
- MTBE 1st tested: 7/1/96.
- MTBE 1st detected: 12/27/96 - 140 ug/L.
- Max MTBE: 12/27/96 - 140 ug/L.
- TBA 1st tested: 8/4/05.
- TBA 1st detected: 8/21/07 - 12J ug/L.
- Max TBA: 8/21/07 - 12J ug/L.

**On-site - site-margin well MW-7 in downgradient SE direction:**
- MTBE 1st tested: 9/16/96.
- MTBE 1st detected: 3/3/97 - 180 ug/L.
- Max MTBE: 11/17/99 - 300 ug/L (still detected today at MCL).
- DIPE 1st tested 4/16/01.
- DIPE 1st detected: 4/16/01 - 23 ug/L.
- Max DIPE: 2/27/04 - 35 ug/L.

Semi-perched groundwater flow direction is SE (ENSR report).
Deeper groundwater (Talbert ) flow direction is unreported (ENSR report).
**Vertical gw gradient is downward (OCWD).**

**Remediation: SVE initiated in 1996; NO groundwater capture initiated.**
Sep-89 - USTs, dispensers, and piping removed - hydrocarbon contaminated soil and gw detected, soil exavated.
Nov-91 - **free product observed in downgradient site margin well (MW-4).**
additionally, **free product observed in downgradient wells (MW-7, MW-10, MW-13 & MW-14).**
Jan-93 - USTs removed from site, again.
1996 - SVE initiated - **7yrs after detecting contaminated soil and groundwater.**
1999 - SVE discontinued.
2000 - SVE restarted.
2003 - SVE discontinued again; Closure Request made to **OCHCA - denied closure.**
2004 - SVE restarted again.
2005 - SVE discontinued again; Closure Request made to **OCHCA - denied closure Mar-07.**
Mar-05 - site sold to Jiffy-Lube.
**Jan-07** - notice of violation (**NOV**) issued for inspection violation (**on-going for 16 months; multiple warnings**).

**MTBE and TBA groundwater plumes have migrated off site SE** (4/15/08 ENSR - *Quarterly Groundwater Monitoring Report, First Quarter 2008, Chevron Site ID No. 306631 (Former Unocal Service Station No. 5376, 8971 Warner Avenue, Huntington Beach, California, Case No. 89UT168).*

Historic MTBE and TBA gw plumes have not been delineated laterally.
Recent MTBE and TBA gw plumes have not been delineated latorally.
MTBE and TBA gw plumes have not been delineated vertically.

**Groundwater conduits (potential migration paths from shallow saturated zones to deeper saturated zones):**
**Nearest well in Shallow Aquifer: W-2210** - agg/irr well ~1,100 ft E of site (downgradient in semi-perched zone).
Drilled to 366 ft bgs (Principal Aquifer).
Screened 114 to 124 ft bgs (Shallow Aquifer).
Sanitary seal - NO
pump rate - unknown.
Top of Shallow zone - ~44 ft bgs,
Bottom of Shallow zone - ~190 ft bgs.
Top of Principal Aquifer - ~225 ft bgs.
**Nearest drinking water production well: HB-9** - (Principal Aquifer) ~600 ft W of site - in downgrad direction.
Drilled to 1,010 ft bgs.
Screened: 556 to 996 ft bgs.
Sanitary seal - YES.
pump rate - 5,000 gpm.
Top of Shallow zone - ~41 ft bgs.
Bottom of Shallow zone - ~170 ft bgs.
Top of Principal Aquifer - ~192 ft bgs.

**Nearest MTBE detection in drinking water production well:**
**NB-TAMD: 0.12 ug/L in 2005.**
**NB-TAMD: 0.04 ug/L in 2008.**

# EXHIBIT 58

| | A |
|---|---|
| 1 | **Unocal #5123 (aka Chevron #306621)** |
| 2 | 14972 Springdale Street, Huntington Beach |
| 3 | |
| 4 | |
| 5 | Significant gw contam from site already migrated downgrad off site to the SW, S, & SE by time gw pumping initiated. |
| 6 | - SW site margin "A" gw zone - MW-6: 5/1/94 DIPE 14,000 ug/L. |
| 7 | - S site margin "A" & "B" gw zone - MW-10: 5/28/96 DIPE 12,000 ug/L; MTBE - 11,000 ug/L; TBA never tested. |
| 8 | - SE site margin "A" gw zone - MW-20A: 3/10/99 DIPE 26,000 ug/L; benzene 7,300 ug/L. |
| 9 | |
| 10 | Site had multiple **fuel leaks** between 1987 and the present, including fuel leaks that were detected or identified in Jan-1990, Oct-1990, and May-1991; and discovered or indicated in Apr-1987 (soil contamination) and Jun-1987 (free product on gw) (Unocal, *Business Plan*, 7/3/96; ENSR, *Well Installation Report*, Jan-2005). |
| 11 | |
| 12 | Regulatory Agency has issued at least 15 notifications to RP from 2/4/94 to 12/4/07 for inadequate or ineffective investigations, work plans, reports, and remediation. **A Notice of Violation (NOV) was issued in 1991 for non-compliance, requiring RP to delineate and characterize free product beneath site** (Unocal Marketing Rpt, 4/3/92); 4 years after free product discovered on gw on site. |
| 13 | |
| 14 | No UST or facility inspection records were available for this site. |
| 15 | |
| 16 | Site has never been closed by regulatory agency. |
| 17 | |
| 18 | MTBE 1st tested in groundwater: 2/29/96 in MW-8. |
| 19 | MTBE 1st detected in groundwater: 2/29/96 in MW-8 - 32,000 ug/L. |
| 20 | Max MTBE detected in a gw monitoring well: 2/29/96 in MW-8 - 32,000 ug/L. |
| 21 | |
| 22 | TBA 1st tested in groundwater: 3/2/04 in MW-26U. |
| 23 | TBA 1st detected in groundwater: 7/20/04 in MW-25U - 180 ug/L. |
| 24 | Max TBA detected in a gw monitoring well: 1/26/05 in MW-30L - 3,500 ug/L. |
| 25 | |
| 26 | 3 saturated zones are identified (however, the zones are NOT distinctly separate zones). |
| 27 | semi-perched "upper A" gw zone - ~10 to 15 ft bgs. |
| 28 | semi-perched "lower A" gw zone - ~18 to 23 ft bgs. |
| 29 | semi-perched "B" gw zone - ~30 to 40 ft bgs. |
| 30 | semi-perched "C" gw zone - ~40 to ~50 ft bgs. |
| 31 | Site monitoring wells are screened across the identified groundwater zones (Komex report). |
| 32 | |
| 33 | Farthest downgradient well MW-12 - (screened 5 to 25 ft bgs across "upper A" & "lower A" zones). |
| 34 | MTBE 1st tested 5/28/96. |
| 35 | MTBE 1st detected 5/6/03 - 15 ug/L. |
| 36 | Max MTBE detected 5/6/03 - 15 ug/L. |
| 37 | Farthest downgradient "B" zone well - MW-4B (located SE of site). |
| 38 | MTBE 1st tested 3/22/01. |
| 39 | MTBE last tested 8/29/03 - MTBE not detected; well inaccessible since 8/29/03 - covered by asphalt. |
| 40 | TBA never tested. |
| 41 | Farthest downgradient "C" zone well - MW-4C (located SE of site). |
| 42 | MTBE 1st tested 3/22/01. |
| 43 | MTBE 1st detected 2/21/02 - 0.86 ug/L. |
| 44 | Max MTBE detected 5/6/03 - 22 ug/L. |
| 45 | TBA 1st tested 3/2/04. |
| 46 | TBA last tested 11/1/07 - TBA not detected. |
| 47 | |

EXHIBIT
58
tabbies

Exhibit No. 60
Date: 8/21/08
Witness: BOLIN
Sandra Bunch, CSR 3032

OCWD-MTBE-001-192560

| | A |
|---|---|
| 48 | Semi-perched "upper A" zone gw flow direction fluctuates with no pattern, overall SE (Komex report). |
| 49 | Semi-perched "lower A" zone gw flow direction fluctuates with no pattern, overall SE (Komex report). |
| 50 | Semi-perched "B"" zone gw flow direction fluctuates with no pattern, overall E (Komex report). |
| 51 | Semi-perched "C"" zone w flow direction is WSW (Komex report). |
| 52 | Vertical gw gradient is generally downward, but occasionally upward between zones - question whether monitoring wells truly represent discrete, laterally continuous water-bearing zones (Komex report). |
| 53 | |
| 54 | Remediation: 1st partial groundwater capture began in Apr-02 - Dual-Phase Extraction (DPE): |
| 55 | ~Aug-90: free product was manually pumped out from 2 wells ~bi-monthly for 1 year, then weekly for ~1 year. |
| 56 | Jan-91: 3.36 feet of free product measured in well MW-6. |
| 57 | Jun-92: free-product automatic recovery system (ARS) started in 5 wells. |
| 58 | Aug-96: ARS stopped. |
| 59 | Dec-96: RP consultant reports ARS is not reducing dissolved-phase hydrocarbons. |
| 60 | Feb-97: ARS re-started. |
| 61 | Aug-97: ARS stopped again. |
| 62 | Dec-00: DPE test for two days. |
| 63 | **Apr-02: DPE started:** |
| 64 | **started 15 yrs after free product discovered on groundwater.** |
| 65 | **started 11 yrs after receiving NOV for failure to delineate and remove free product from gw on site.** |
| 66 | **started 6 yrs after detecting elevated MTBE in gw on site (2/29/96 MW-8 - 32,000 ug/L).** |
| 67 | **started 1.5 yrs after conducting DPE test.** |
| 68 | **started after MTBE detected in off-site monitoring well.** |
| 69 | Jan-04: DPE stopped. |
| 70 | Jun-04: DPE re-started. |
| 71 | Dec-06: DPE stopped, remained stopped for at least 1 year - current (Aug-08) status unknown. |
| 72 | |
| 73 | **MTBE and TBA groundwater plumes have migrated off site** to SW to SE (1/14/08 ENSR - *Quarterly Groundwater Monitoring Report, Fourth Quarter 2007, Former Unocal Facility #5123 (Chevron Site ID 306621), 14972 Springdale, Huntington Beach, California, OCHCA Case #87UT82.* |
| 74 | |
| 75 | Historic MTBE and TBA gw plumes have not been delineated laterally. |
| 76 | Recent MTBE and TBA gw plumes have not been delineated laterally. |
| 77 | MTBE and TBA gw plumes have not been delineated vertically. |
| 78 | |
| 79 | Groundwater conduits are near by (potential migration paths from shallow saturated zones to deeper saturated zones): |
| 80 | Nearest well: W-16785 - domestic well ~200 ft SW of site. |
| 81 | Drilled to _unknown_ ft bgs. |
| 82 | Screened _unknown_ ft bgs. |
| 83 | pump rate - unknown - abandoned. |
| 84 | Nearest well east: W-16947 - domestic well ~300 ft E of site. |
| 85 | Drilled to 650 ft bgs. |
| 86 | Screened _unknown_ ft bgs. |
| 87 | pump rate - unknown - abandoned. |
| 88 | Nearest drinking water production well: HB-1 - ~800 ft ESE of site. |
| 89 | Drilled to 306 ft bgs. |
| 90 | Screened 265 to 291 ft bgs. |
| 91 | Pump rate - ~790 gpm. |
| 92 | Top of Shallow zone - ~61 ft bgs. |
| 93 | Bottom of Shallow zone - ~171 ft bgs. |
| 94 | Top of Principal Aquifer - ~187 ft bgs. |
| 95 | |
| 96 | Nearest MTBE detection in drinking water production well: |
| 97 | HB-7: 0.16 ug/L in 2006 (LIMS). |

| | A |
|---|---|
| 98 | HB-13: 0.17 ug/L in 2005 (LIMS). |

# EXHIBIT 59

WAYNE PERRY, INC.
*Environmental Remediation, Construction and Consulting*

November 5, 2010

Orange County Health Care Agency
Department of Environmental Health
Hazardous Materials Management Section
1241 East Dyer Road, Suite 120
Santa Ana, California 92705-5611

Attn: Geniece Higgins

**SUBJECT: GROUNDWATER MONITORING AND STATUS REPORT**
THIRD QUARTER 2010
FORMER SHELL SERVICE STATION
6502 BOLSA AVENUE (at Edwards Street)
HUNTINGTON BEACH, CALIFORNIA
OCHCA CASE: 87UT23
WPI FILE: 09.610
SAP CODE: 135368

---

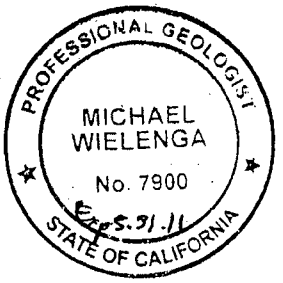
Dear Ms. Higgins:

Wayne Perry, Inc. (WPI), on behalf of Equilon Enterprises LLC dba Shell Oil Products US (Shell), is submitting this Quarterly Groundwater Monitoring Report. This report includes a summary of site activities, a description of the groundwater monitoring activities, tables, and figures showing the groundwater data, and copies of the field data sheets, and analytical report.

If you have any questions regarding this report, please contact Mr. Michael Wielenga of WPI at (714) 826-352. If you have any questions regarding the Blaine Tech Services, Inc. field data, please contact Mr. Francis Thie at (408) 573-555. If you have any questions regarding this project, please contact Mr. Chris McDonald of WPI at (714) 826-352 or Mr. Marvin Katz of Shell at (310) 550-5846.

Sincerely,
**WAYNE PERRY, INC.**

Michael Wielenga
California Professional Geologist 7900




Attachments: Summary of Site Activities

Figure 1, Site Location Map
Figure 2, Plot Plan
Figure 3, Groundwater Elevation Map
Figure 4, Hydrocarbon Distribution Map
Figure 5, TPPH Concentration Map
Figure 6, Benzene Concentration Map
Figure 7, MTBE Concentration Map
Figure 8, TBA Concentration Map
Figure 9, DIPE Concentration Map

Table 1, Current Groundwater Data
Table 2, Historical Groundwater Data
Table 3, Additional Groundwater Data

Graphs 1 through 17, TPH-G, Benzene, MTBE, and TBA Concentrations and Groundwater Elevations versus Time

Appendix A, Blaine Tech Services, Inc. Field Data Sheets and Laboratory Analytical Report with Chain-of-Custody Documentation

Appendix B, Site History

**TABLE 2**
**HISTORICAL GROUNDWATER DATA**
**FORMER SHELL SERVICE STATION**
**6502 Bolsa Avenue, Huntington Beach**

| WELL | DATE | DEPTH TO GW (feet) | SPH THICKN. (feet) | GW ELEV. (feet relative to MSL) | WELL DEPTH (feet) | TPH-G (ug/L) | TPPH (ug/L) | BENZENE (ug/L) | TOLUENE (ug/L) | ETHYL-BENZENE (ug/L) | TOTAL XYLENES (ug/L) | MTBE 8020/8021 (ug/L) | MTBE 8260 (ug/L) | TBA (ug/L) | DIPE (ug/L) | ETBE (ug/L) | TAME (ug/L) | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 08/18/06 | 5.13 | 0.00 | 16.39 | 25.38 | 7200 | | 180 | ND<10 | ND<10 | 26 | | 56 | 520 | 1500 | ND<20 | ND<20 | |
| | 11/17/06 | 5.11 | 0.00 | 16.41 | 25.37 | 5800 | | 190 | 9.6 | 9.3 | 30 | | 50 | 640 | 1100 | ND<10 | ND<10 | |
| | 02/28/07 | 4.63 | 0.00 | 16.89 | 25.38 | 5200 | | 92 | 6.0 | ND<5.0 | 23 | | 32 | 530 | 1500 | ND<10 | ND<10 | |
| | 05/10/07 | 4.83 | 0.00 | 16.69 | 25.10 | 4700 | | 100 | ND<10 | ND<10 | 24 | | 43 | 560 | 1200 | ND<20 | ND<20 | |
| | 08/29/07 | 5.20 | 0.00 | 16.32 | 25.15 | 6300 | | 99 | 9.1 | 6.2 | 38 | | 41 | 790 | 1500 | ND<10 | ND<10 | |
| | 12/10/07 | 5.53 | 0.00 | 15.99 | 29.34 | 5800 | | 150 | 12.0 | 11 | 41 | | 44 | 1100 | 1300 | ND<10 | ND<10 | |
| | 03/25/08 | 4.64 | 0.00 | 16.88 | 25.36 | | 8800 | 110 | ND<20 | ND<20 | 30 | | ND<20 | 930 | 970 | ND<40 | ND<40 | |
| | 04/25/08 | 5.41 | 0.00 | 16.11 | 25.30 | | 13000 | 160 | ND<10 | ND<10 | 27 | | 40 | 940 | 1100 | ND<20 | ND<20 | |
| | 09/22/08 | 6.17 | 0.00 | 15.35 | 25.34 | | 14000 | 130 | 11.0 | ND<10 | 37 | | ND<10 | 1300 | 1400 | ND<20 | ND<20 | |
| | 12/31/08 | 5.17 | 0.00 | 16.35 | 24.64 | | 8200 | 78 | ND<10 | ND<10 | 29 | | ND<10 | 530 | 1000 | ND<20 | ND<20 | |
| | 03/24/09 | 4.86 | 0.00 | 16.66 | 24.64 | | 10000 | 96 | 10 | 11 | 39 | | 45 | 1000 | 920 | ND<20 | ND<20 | |
| | 06/17/09 | 6.02 | 0.00 | 15.50 | 25.40 | | 11000 | 120 | 9.0 | 11 | 43 | | 54 | 860 | 840 | ND<10 | ND<10 | |
| | 09/17/09 | 6.56 | 0.00 | 14.96 | 25.39 | | 11000 | 190 | 11 | 17 | 49 | | 51 | 770 | 960 | ND<10 | ND<10 | |
| | 12/22/09 | 6.20 | 0.00 | 15.32 | 25.42 | | 11000 | 210 | 11 | 13 | 46 | | 42 | 750 | 1000 | ND<10 | ND<10 | |
| | 03/10/10 | 4.21 | 0.00 | 17.31 | 25.33 | | 12000 | 210 | 12 | ND<10 | 50 | | 40 | 760 | 860 | ND<20 | ND<20 | |
| | 06/28/10 | 5.38 | 0.00 | 16.14 | 25.38 | | 12000 | 180 | ND<10 | ND<10 | 31 | | 29 | 700 | 890 | ND<20 | ND<20 | |
| | 09/22/10 | 6.25 | 0.00 | 15.27 | 25.37 | | 11000 | 160 | ND<10 | ND<10 | 26 | | ND<10 | 650 | 860 | ND<20 | ND<20 | |
| B-9 | | | | Top of casing elevation (ft): 21.09 | | | | | Screen Interval: unknown | | | | | | | | | |
| | 12/06/88 | | | | | 23200 | | 5000 | 3600 | 2000 | 7300 | | | | | | | |
| | 03/02/89 | | | | | 5200 | | 1600 | 300 | 500 | 500 | | | | | | | |
| | 07/12/89 | | | | | 5300 | | 700 | 200 | 200 | 200 | | | | | | | |
| | 09/29/89 | | | | | 6000 | | 3400 | 800 | 600 | 1500 | | | | | | | |
| | 02/20/90 | | | | | 22000 | | 2000 | 200 | 1000 | 2000 | | | | | | | |
| | 07/18/90 | | | | | 14000 | | 3000 | 1000 | ND<2 | 1600 | | | | | | | |
| | 01/31/91 | | | | | 20000 | | 2600 | 2000 | 20 | 2000 | | | | | | | |
| | 10/20/92 | 11.78 | 0.00 | 9.31 | | | | | | | | | | | | | | Pump in well |
| | 01/06/93 | 7.30 | 0.00 | 13.79 | 28.54 | 1400 | | 81.8 | 69.8 | 25.2 | 106.1 | | | | | | | |
| | 04/05/93 | 4.97 | 0.00 | 16.12 | 29.00 | 1200 | | 225.2 | 85.8 | 54.8 | 82.8 | | | | | | | |
| | 06/06/93 | 6.03 | 0.00 | 15.06 | 30.26 | 13600 | | 1057 | 817 | 352.8 | 1998.7 | | | | | | | |
| | 06/21/93 | 6.20 | 0.00 | 14.89 | | | | | | | | | | | | | | Pump in well |
| | 07/14/93 | 8.30 | 0.00 | 12.79 | | | | | | | | | | | | | | |
| | 07/22/93 | 8.57 | 0.00 | 12.53 | | | | | | | | | | | | | | |
| | 07/27/93 | 8.20 | 0.00 | 12.90 | | | | | | | | | | | | | | |
| | 08/04/93 | 8.38 | 0.00 | 12.71 | | | | | | | | | | | | | | |
| | 08/13/93 | 8.60 | 0.00 | 12.49 | | | | | | | | | | | | | | |
| | 08/24/93 | 9.31 | 0.00 | 11.78 | | | | | | | | | | | | | | |
| | 10/11/93 | 7.86 | 0.00 | 13.23 | 30.04 | 27700 | | 1755.5 | 1821.7 | 1253.2 | 3298.4 | | | | | | | |
| | 01/13/94 | 7.79 | 0.00 | 13.30 | 30.13 | 5400 | | 972.6 | 383.3 | 320.2 | 719.2 | | | | | | | |
| | 04/11/94 | 5.52 | 0.00 | 15.57 | 30.22 | 3300 | | 455.7 | 244.8 | 231.7 | 420.8 | | | | | | | |
| | 07/15/94 | 7.77 | 0.00 | 13.32 | 30.00 | 8200 | | 1330 | 636.1 | 600.5 | 1443.3 | | | | | | | |
| | 10/07/94 | 9.88 | 0.00 | 11.21 | 30.31 | | | | | | | | | | | | | |
| | 01/24/95 | 4.23 | 0.00 | 16.86 | 30.11 | 4700 | | 451.3 | 187.1 | 261.6 | 498.7 | | | | | | | |
| | 04/12/95 | | | | | | | | | | | | | | | | | Pump in well |
| | 07/07/95 | 6.50 | 0.00 | 14.59 | 29.65 | 7000 | | 758.3 | 231.7 | 488.1 | 697.2 | | | | | | | |
| | 09/22/95 | 8.95 | 0.00 | 12.14 | 30.29 | 30100 | | 3635.3 | 947.1 | 2226.9 | 2587.4 | | | | | | | |
| | 12/19/95 | 7.65 | 0.00 | 13.44 | 30.29 | 17700 | | 1686.9 | 437.5 | 1047.6 | 1365.1 | | | | | | | |
| | 03/27/96 | 4.72 | 0.00 | 16.37 | 29.75 | 3900 | | 266.8 | 37.6 | 126.3 | 139 | 70 | | | | | | |
| | 06/25/96 | 7.53 | 0.00 | 13.56 | 30.30 | 16000 | | 1800 | 380 | 1300 | 1500 | 60 | | | | | | |
| | 09/26/96 | 8.72 | 0.00 | 12.37 | 30.25 | 33000 | | 3600 | 810 | 2200 | 2800 | 540 | | | | | | |
| | 12/13/96 | 5.60 | 0.00 | 15.49 | 30.18 | 11000 | | 460 | 230 | 540 | 1030 | ND<10 | | | | | | |
| | 04/16/97 | 4.48 | 0.00 | 16.61 | 30.21 | 840 | | 39 | 11 | 38 | 43 | 20 | | | | | | |

**TABLE 2**
**HISTORICAL GROUNDWATER DATA**
**FORMER SHELL SERVICE STATION**
**6502 Bolsa Avenue, Huntington Beach**

| WELL | DATE | DEPTH TO GW (feet) | SPH THICKN (feet) | GW ELEV (feet relative to MSL) | WELL DEPTH (feet) | TPH-G (ug/L) | TPPH (ug/L) | BENZENE (ug/L) | TOLUENE (ug/L) | ETHYL-BENZENE (ug/L) | TOTAL XYLENES (ug/L) | MTBE 8020/8021 (ug/L) | MTBE 8260 (ug/L) | TBA (ug/L) | DIPE (ug/L) | ETBE (ug/L) | TAME (ug/L) | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| B-22 | | | | Top of casing elevation (ft): 19.11 | | | | Screen Interval: unknown | | | | | | | | | | |
| | 02/22/90 | | | | | 1700 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 10/10/90 | | | | | 1600 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 01/31/91 | | | | | 1000 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 04/30/91 | | | | | 1000 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 07/09/91 | | | | | 1700 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 12/12/91 | | | | | 2700 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 10/20/92 | 11.75 | 0.00 | 7.36 | 25.30 | 800 | | 0.6 | 0.6 | ND<0.3 | 2.9 | | | | | | | |
| | 01/06/93 | 3.80 | 0.00 | 15.31 | 25.11 | ND<500 | | ND<0.3 | ND<0.3 | 0.6 | 0.3 | | | | | | | |
| | 04/05/93 | 3.83 | 0.00 | 15.28 | 25.31 | 1300 | | 6.1 | 6 | 24.9 | ND<0.6 | | | | | | | |
| | 06/06/93 | | | | | | | | | | | | | | | | | |
| | 06/21/93 | 4.80 | 0.00 | 14.31 | 25.80 | ND<500 | | 2.1 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 07/14/93 | | | | | | | | | | | | | | | | | |
| | 10/11/93 | 6.75 | 0.00 | 12.36 | 25.01 | 1400 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 01/13/94 | 6.51 | 0.00 | 12.60 | 25.19 | 1000 | | 8.2 | 3.1 | ND<0.3 | 2.1 | | | | | | | |
| | 04/11/94 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 03/18/99 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 06/22/99 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 09/28/99 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 12/29/99 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 03/20/00 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | 06/06/00 | | | | | | | | | | | | | | | | | Well lid covered with asphalt |
| | | | | Top of casing elevation (ft): 21.13 | | | | | | | | | | | | | | |
| | 09/06/00 | 7.53 | 0.00 | 13.60 | 25.21 | 1200 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | 46 | | | | | | |
| | 12/11/00 | 7.35 | 0.00 | 13.78 | 25.26 | 1300 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<2.0 | | 66 | ND<50 | 1400 | ND<2.0 | ND<2.0 | |
| | 03/14/01 | 3.60 | 0.00 | 17.53 | 25.16 | 1400 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<2.0 | | 55 | ND<50 | ND<2.0 | ND<2.0 | ND<2.0 | |
| | 06/06/01 | 4.01 | 0.00 | 17.12 | 25.00 | 1400 | | 2.8 | ND<1.0 | ND<1.0 | ND<2.0 | | 51 | 100 | 1600 | ND<2.0 | ND<2.0 | |
| | 09/10/01 | 4.35 | 0.00 | 16.78 | 25.05 | 680 | | ND<5.0 | ND<10 | ND<10 | ND<20 | | 20 | ND<500 | 720 | ND<20 | ND<20 | Pre-purge sample |
| | 09/10/01 | | | | | 1500 | | 46 | ND<20 | ND<20 | ND<40 | | 63 | ND<1000 | 1600 | ND<40 | ND<40 | Post-purge sample |
| | 12/31/01 | 5.67 | 0.00 | 15.46 | 25.05 | 3200 | | 24 | ND<1 | ND<1 | 1 | | 54 | 53 | 1200 | ND<2 | ND<2 | |
| | 02/07/02 | 6.44 | 0.00 | 14.69 | 24.81 | 710 | | 3.1 J | ND<10 | ND<10 | ND<10 | | 60 | ND<500 | 1200 | ND<20 | ND<20 | |
| | 05/06/02 | 6.72 | 0.00 | 14.41 | 24.90 | 1200 | | 2.9 | ND<5 | ND<5 | ND<5 | | 59 | 61 J | 1300 | ND<10 | ND<10 | |
| | 08/01/02 | 7.69 | 0.00 | 13.44 | 24.86 | 1800 | | 2 J | ND<10 | ND<10 | ND<10 | | 64 | ND<500 | 1600 | ND<20 | ND<20 | |
| | 10/25/02 | 8.07 | 0.00 | 13.06 | 24.86 | 1600 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 64 | ND<100 | 1100 | ND<20 | ND<20 | |
| | 03/04/03 | 5.58 | 0.00 | 15.55 | 24.86 | 1300 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 43 | ND<10 | 980 | ND<20 | ND<20 | |
| | 05/29/03 | 5.63 | 0.00 | 15.50 | 25.05 | 870 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 38 | 480 | 750 | ND<20 | ND<20 | |
| | 08/07/03 | 6.33 | 0.00 | 14.80 | 25.09 | 1100 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 45 | ND<100 | 850 | ND<20 | ND<20 | |
| | 11/06/03 | 6.98 | 0.00 | 14.15 | 25.13 | 1200 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 46 | ND<100 | 1000 | ND<20 | ND<20 | |
| | 02/04/04 | 5.65 | 0.00 | 15.48 | 25.10 | 1200 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 41 | ND<100 | 1200 | ND<20 | ND<20 | |
| | 05/05/04 | 5.55 | 0.00 | 15.58 | 25.02 | 980 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 36 | ND<100 | 1500 | ND<20 | ND<20 | |
| | 08/03/04 | 6.37 | 0.00 | 14.76 | 24.95 | 770 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 22 | ND<100 | 880 | ND<20 | ND<20 | |
| | 10/25/04 | 5.12 | 0.00 | 16.01 | 25.05 | 760 | | ND<5.0 | ND<10 | ND<10 | ND<10 | | 22 | ND<100 | 780 | ND<20 | ND<20 | |
| | 02/01/05 | 3.28 | 0.00 | 17.85 | 25.07 | 160 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 2.7 | ND<10 | 150 | ND<2.0 | ND<2.0 | |
| | 05/11/05 | | | | | | | | | | | | | | | | | Well paved over |
| | | | | Top of casing elevation (ft): 21.25 | | | | | | | | | | | | | | |
| | 09/29/05 | 4.69 | 0.00 | 16.56 | 25.12 | 620 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 17 | ND<10 | 780 | ND<2.0 | ND<2.0 | |
| | 11/16/05 | 4.48 | 0.00 | 16.77 | 25.13 | 1050 | | ND<0.50 | ND<0.50 | ND<0.50 | ND<0.50 | | 14 | ND<10 | 818 | ND<0.50 | ND<0.50 | |
| | 02/07/06 | 4.29 | 0.00 | 16.96 | 25.12 | 620 | | 7.6 | ND<5.0 | 5 | ND<10 | | 37 | 1200 | 1800 | ND<10 | ND<10 | |
| | 05/31/06 | 3.89 | 0.00 | 17.36 | 25.10 | 2300 | | ND<10 | ND<10 | ND<10 | ND<20 | | 21 | ND<200 | 1200 | ND<20 | ND<20 | |
| | 08/18/06 | 5.19 | 0.00 | 16.06 | 25.03 | 1700 | | ND<10 | ND<10 | ND<10 | ND<20 | | 22 | ND<200 | 1700 | ND<20 | ND<20 | |
| | 11/17/06 | 4.85 | 0.00 | 16.40 | 25.12 | 780 | | ND<5.0 | ND<5.0 | ND<5.0 | ND<10 | | 18 | ND<100 | 1600 | ND<10 | ND<10 | |
| | 02/28/07 | 3.98 | 0.00 | 17.27 | 25.12 | ND<1000 | | ND<10 | ND<10 | ND<10 | ND<20 | | ND<20 | ND<200 | 1300 | ND<20 | ND<20 | |

**TABLE 2**
**HISTORICAL GROUNDWATER DATA**
**FORMER SHELL SERVICE STATION**
**6502 Bolsa Avenue, Huntington Beach**

| WELL | DATE | DEPTH TO GW (feet) | SPH THICKN. (feet) | GW ELEV. (feet relative to MSL) | WELL DEPTH (feet) | TPH-G (ug/L) | TPPH (ug/L) | BENZENE (ug/L) | TOLUENE (ug/L) | ETHYL-BENZENE (ug/L) | TOTAL XYLENES (ug/L) | MTBE 8020/8021 (ug/L) | MTBE 8260 (ug/L) | TBA (ug/L) | DIPE (ug/L) | ETBE (ug/L) | TAME (ug/L) | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 05/10/07 | 4.65 | 0.00 | 16.60 | 25.00 | 1100 | | ND<10 | ND<10 | ND<10 | ND<20 | | ND<20 | ND<200 | 1100 | ND<20 | ND<20 | |
| | 08/29/07 | 5.65 | 0.00 | 15.60 | 25.15 | 1400 | | ND<5.0 | ND<5.0 | ND<5.0 | ND<10 | | 12 | ND<100 | 1600 | ND<10 | ND<10 | |
| | 12/10/07 | 5.73 | 0.00 | 15.52 | 25.22 | ND<1000 | | ND<10 | ND<10 | ND<10 | ND<20 | | ND<20 | ND<200 | 580 | ND<20 | ND<20 | |
| | 03/25/08 | 5.37 | 0.00 | 15.88 | 25.19 | | 1200 | ND<5.0 | ND<10 | ND<10 | ND<10 | | ND<10 | ND<100 | 690 | ND<20 | ND<20 | |
| | 04/25/08 | 5.61 | 0.00 | 15.64 | 25.20 | | 1600 | ND<5.0 | ND<10 | ND<10 | ND<10 | | ND<10 | ND<100 | 880 | ND<20 | ND<20 | |
| | 09/22/08 | 6.01 | 0.00 | 15.24 | 25.15 | | 1900 | ND<5.0 | ND<10 | ND<10 | ND<10 | | 14 | ND<100 | 1100 | ND<20 | ND<20 | |
| | 12/31/08 | 5.05 | 0.00 | 16.20 | 25.19 | | 1200 | ND<5.0 | ND<10 | ND<10 | ND<10 | | 13 | ND<100 | 730 | ND<20 | ND<20 | |
| | 03/24/09 | 5.33 | 0.00 | 15.92 | 25.19 | | 1100 | ND<5.0 | ND<10 | ND<10 | ND<10 | | ND<10 | ND<100 | 540 | ND<20 | ND<20 | |
| | 06/17/09 | 6.01 | 0.00 | 15.24 | 25.18 | | 1000 | 3.0 | ND<1.0 | ND<1.0 | ND<1.0 | | 11 | 45 | 1000 | ND<2.0 | ND<2.0 | |
| | 09/17/09 | 6.66 | 0.00 | 14.59 | 25.20 | | 1400 | ND<5.0 | ND<10 | ND<10 | ND<10 | | ND<10 | ND<100 | 850 | ND<20 | ND<20 | |
| | 12/22/09 | 6.21 | 0.00 | 15.04 | 25.71 | | 1300 | ND<5.0 | ND<10 | ND<10 | ND<10 | | ND<10 | ND<100 | 820 | ND<20 | ND<20 | |
| | 03/10/10 | 4.89 | 0.00 | 16.36 | 25.21 | | 1100 | 2.6 | ND<5.0 | ND<5.0 | ND<5.0 | | 9.7 | 110 | 590 | ND<10 | ND<10 | |
| | 06/28/10 | 4.83 | 0.00 | 16.42 | 25.50 | | 1200 | ND<2.5 | ND<5.0 | ND<5.0 | ND<5.0 | | 7.1 | 64 | 820 | ND<10 | ND<10 | |
| | 09/22/10 | 6.04 | 0.00 | 15.21 | 25.48 | | 1700 | ND<2.5 | ND<5.0 | ND<5.0 | ND<5.0 | | 5.5 | ND<50 | 1200 | ND<10 | ND<10 | |
| B-23 | | | | Top of casing elevation (ft): 18.31 | | | | | Screen Interval: unknown | | | | | | | | | |
| | 02/22/90 | | | | | ND<50 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 10/10/90 | | | | | ND<50 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 01/31/91 | | | | | 100 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 04/30/91 | | | | | ND<50 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 07/09/91 | | | | | 100 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 12/12/91 | | | | | 100 | | ND<0.5 | ND<1 | ND<2 | ND<2 | | | | | | | |
| | 10/20/92 | 8.85 | 0.00 | 9.46 | 35.29 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | 2.9 | | | | | | | |
| | 01/06/93 | 7.80 | 0.00 | 10.51 | 35.11 | ND<500 | | ND<0.3 | 0.4 | ND<0.3 | 0.8 | | | | | | | |
| | 04/05/93 | 3.11 | 0.00 | 15.20 | 35.18 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 06/06/93 | | | | | | | | | | | | | | | | | |
| | 06/21/93 | 6.05 | 0.00 | 12.26 | 35.10 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 07/14/93 | | | | | | | | | | | | | | | | | |
| | 10/11/93 | 9.74 | 0.00 | 8.57 | 34.99 | ND<500 | | 2.1 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 01/13/94 | 4.49 | 0.00 | 13.82 | 35.02 | ND<500 | | ND<0.3 | 0.5 | ND<0.3 | 1.5 | | | | | | | |
| | 04/11/94 | 2.18 | 0.00 | 16.13 | 35.04 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 07/15/94 | 6.55 | 0.00 | 11.76 | 35.02 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 10/07/94 | 8.64 | 0.00 | 9.67 | 35.09 | ND<500 | | 0.4 | 0.5 | ND<0.3 | 0.9 | | | | | | | |
| | 01/24/95 | 1.66 | 0.00 | 16.65 | 34.97 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | 0.6 | | | | | | | |
| | 04/12/95 | 2.78 | 0.00 | 15.53 | 34.97 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 07/07/95 | 5.40 | 0.00 | 12.91 | 34.94 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 09/22/95 | 7.65 | 0.00 | 10.66 | 35.02 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 12/19/95 | 5.17 | 0.00 | 13.14 | 35.04 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | | | | | | | |
| | 03/27/96 | 2.27 | 0.00 | 16.04 | 35.02 | ND<500 | | 3.4 | 0.5 | 1.7 | 1.6 | ND<10 | | | | | | |
| | 06/25/96 | 6.65 | 0.00 | 11.66 | 35.00 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 09/26/96 | 7.97 | 0.00 | 10.34 | 34.95 | ND<500 | | 0.3 | ND<0.3 | 0.6 | 0.9 | ND<10 | | | | | | |
| | 12/13/96 | 4.18 | 0.00 | 14.13 | 34.88 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 04/16/97 | 2.90 | 0.00 | 15.41 | 34.88 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 07/25/97 | 7.65 | 0.00 | 10.66 | 34.94 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 10/16/97 | 8.51 | 0.00 | 9.80 | 34.90 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 12/01/97 | 5.19 | 0.00 | 13.12 | 34.98 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 04/28/98 | 2.40 | 0.00 | 15.91 | 34.98 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | ND<10 | | | | | | |
| | 07/01/98 | 5.87 | 0.00 | 12.44 | 34.93 | | | | | | | | | | | | | Exceeded hold time for 8015/8020 |
| | 09/10/98 | 8.07 | 0.00 | 10.24 | 34.96 | ND<500 | | 1.0 | 0.8 | 0.7 | ND<0.6 | 35.8 | ND<1 | | | | | |
| | 12/28/98 | 3.84 | 0.00 | 14.47 | 34.92 | ND<500 | | 0.5 | 1.4 | 0.7 | 3.8 | ND<5 | | | | | | |
| | 03/18/99 | 4.03 | 0.00 | 14.28 | 34.98 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | 11 | | | | | | |
| | 06/22/99 | 5.70 | 0.00 | 12.61 | 34.84 | ND<500 | | ND<0.3 | ND<0.3 | ND<0.3 | ND<0.6 | 9.0 | | | | | | |

# EXHIBIT 60

# SITE SUMMARY: SHELL #652 (KOMEX SITE #42)

## GENERAL SITE INFORMATION

*Site Address:* 6502 Bolsa Avenue, Huntington Beach, CA

*Current Site Operation:* Former gas station (closed first quarter 2000 – OCHCA 041729)

## KEY ISSUES

- Methyl tert-butyl ether (MTBE) was released at the Site prior to March 1996 and can be traced from the source to groundwater beneath the Site. Groundwater contamination was never hydraulically contained and the historical extent of MTBE and tert-butyl alcohol (TBA) plumes was never fully delineated.

- The contamination has migrated off-Site at least 150 feet to the west and south. The vertical extent of contamination beneath the Site has not been investigated below 35 feet below ground surface (bgs). One monitoring well has been installed deeper that 35 feet bgs: B-48C, located 150 feet east of the Site and screened from 45 to 50 feet bgs. MTBE and TBA have not been detected in this well.

- Several phases of soil and groundwater remediation have been undertaken at the Site. However, dissolved phase MTBE and TBA plumes remain beneath and off the Site. Many on-Site monitoring wells have been abandoned to facilitate redevelopment, despite the fact that MTBE and TBA were still detected in the wells.

- Production well HB-1 is located about 1,750 feet west of the Site, in a direction that is down-gradient of recent groundwater flow from the Site. The well is screened from 258 to 297 feet bgs, but it is not believed to have a sanitary seal, which could allow contamination in the Semi-Perched aquifer to enter the well.

## HYDROGEOLOGY

The site is located within the pressure area of the Orange County Groundwater Basin (**Figure 1 / Figure 2**).

A cluster of three wells (B-48A, B-48B, and B-48C) installed at the Site were completed in three discrete groundwater-bearing zones (**Figure 3**). However, it should be noted that some monitoring wells installed earlier at the Site are screened across two of these zones. Furthermore, details of the screened intervals of monitoring wells B-7 through B-23 are

# EXHIBIT 61

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

ORANGE COUNTY WATER DISTRICT,

Plaintiff,

vs.

UNOCAL CORPORATION, et al.,

Defendants.

Case No. 04 CIV. 4968

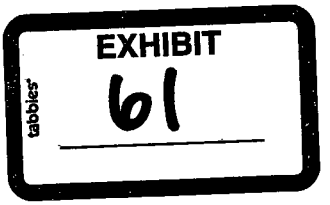
DEPOSITION OF EDWARD SAAD

AUGUST 16, 2010

FOUNTAIN VALLEY, CALIFORNIA

Reported by: DEBORAH MORIN,

CSR NO. 11558



Page 74

Q Did you have an understanding if the tanks were old and the piping was old when you took over the station?
A Yes, original. He told me that. It's a steel tank. That's why I know it's a steel tank because he told me so.
Q So it was the original steel tank and piping that had first been put in the station?
A Correct.
Q Okay. Did you have an understanding of when the first -- the station was first operated to sell gasoline?
A No.
Q More than ten years?
A I really don't know. It used to be Arco. He told me used to be an Arco independent whoever was pumping over there.
Q Other than the drive off, did any customers drop the nozzles, the gasoline nozzles on the ground while they were filling up the car?
A No. Most of the customer, we used to go pump their gas ourself. Wasn't the self-service type deal.
Q When you took the nozzle out of the gas pumps, did a few drops of gasoline drip on the

Page 75

ground?
A No.
Q When you did inventory on the tanks, do you recall seeing the soil was wet around the top of the tank? I think we talked about that.
A Yes.
Q Did it happen -- from the time you took over the station, did you see that the soil was wet?
A Well, I didn't open the tank area, but every time he come to put gas, you can see the color of the soil is different and you can smell, and possibly because every time they put the hose and they don't seal tight, something leak. And then after that leak that guy did on my time, I don't know how many time did that.
MS. O'REILLY: All right. Let's take a quick break and then we'll move to the Texaco station.
THE WITNESS: On Fountain Valley?
MS. O'REILLY: Yes. Yeah. We'll take a quick break, and then we'll go to that station.
THE VIDEOGRAPHER: Going off the record at 11:27.
(Recess taken.)
THE VIDEOGRAPHER: We're back on the

Page 76

record at 11:41. This is?
A Disk 3 of the deposition of Mr. Edward Saad.
BY MS. O'REILLY:
Q Now we're going to talk about the Texaco station at Warner and Bushard. I think the address was 9475 Warner.
A Yes.
MR. DAVIS: I'm sorry. Could you read back the address? I'm sorry. I didn't get that.
MS. O'REILLY: 9475 Warner.
MR. DAVIS: Thank you.
BY MS. O'REILLY:
Q And you previously testified you thought you took it over in about 1992 and that you signed a dealer agreement with Texaco; is that correct?
A Yes.
Q Do you still have a copy of that dealer agreement?
A I don't know. I didn't try to look on that location.
Q Okay. And when you took over the station, you were the person primarily operating the station?
A Well, I was the one primary there, yes.
Q And did you have employees helping you at

Page 77

that station?
A Yes.
Q And who was working with you?
A A guy by name Pascal used to work the afternoon shift.
Q I'm sorry. His name was?
A Pascal.
Q Pascal?
A Yeah. P-a-s-c-a-l.
Q Do you recall his last name?
A Chevallier.
Q Okay.
A And myself and one Asian lady used to work for -- the same employee used to work for the company, for Texaco. I forget her name. And that's it.
Q Okay. The woman who worked for -- was she employed by Texaco to your understanding?
A Before I took over, yes.
Q But she worked at the station?
A She was working at the station, yes.
Q When you took over the station, was Texaco itself operating the station to your understanding?
A Yes.
Q And you kept her on as an employee at the

Page 114

auto and truck repair in Santa Ana?
MR. DAVIS: Yes.
THE WITNESS: About twice a month.
BY MR. DAVIS:
Q Do you know who was responsible for maintaining the tanks at that site?
A No.
Q For this site at 9475 Warner, do you ever recall any spills of gasoline at that site?
A No.
MS. O'REILLY: Asked and answered.
BY MR. DAVIS:
Q Do you ever recall any leaks of any kind at that site?
MS. O'REILLY: Asked and answered.
THE WITNESS: No.
BY MR. DAVIS:
Q During the entire time you worked as a station operator, was it always your intention to follow all the rules and regulations and laws?
MS. O'REILLY: Vague and ambiguous. Overbroad.
BY MR. DAVIS:
Q You can answer.
A Yes.

Page 115

Q And was it always your intention that your employees would do the same?
MS. O'REILLY: Same objections.
THE WITNESS: Yes.
BY MR. DAVIS:
Q And it was always your intention to keep gasoline safety stored; is that right?
MS. O'REILLY: Vague and ambiguous. Overbroad.
THE WITNESS: Yes.
BY MR. DAVIS:
Q Do you understand that gasoline is a dangerous product?
MS. O'REILLY: Vague and ambiguous. Overbroad.
THE WITNESS: Yes.
BY MR. DAVIS:
Q And you understood that for the entire time that you were operating gasoline stations; is that right?
MS. O'REILLY: Same objections.
THE WITNESS: Yes.
BY MR. DAVIS:
Q And you always understood that gasoline needs to be handled with care?

Page 116

MS. O'REILLY: Vague and ambiguous. Overbroad.
THE WITNESS: Yes.
BY MR. DAVIS:
Q Did you always understand that it was important not to let gasoline to go into the environment and get into the water table? Did you always understand that?
MS. O'REILLY: Vague and ambiguous. Overbroad. Lacks foundation.
THE WITNESS: Yes.
BY MR. DAVIS:
Q And you did everything in your power to prevent gasoline from getting into the water table; right?
A Yeah.
MS. O'REILLY: Vague and ambiguous. Overbroad.
THE WITNESS: Yes.
BY MR. DAVIS:
Q And you knew that that was important during the entire time you operated gasoline stations?
MS. O'REILLY: Same objections.
THE WITNESS: Yes.

Page 117

BY MR. DAVIS:
Q For the station at 9475 Warner, do you have any information that Chevron ever supplied gasoline to that station?
MS. O'REILLY: Calls for speculation.
THE WITNESS: No.
BY MR. DAVIS:
Q Do you have any information that Unocal ever supplied gasoline to that station?
MS. O'REILLY: Calls for speculation. Lacks foundation.
THE WITNESS: No.
BY MR. DAVIS:
Q Do you have any information that Union Oil Company of California ever supplied gasoline to that station?
MS. O'REILLY: Same objections.
THE WITNESS: No.
MR. DAVIS: I'll pass the witness.
MS. O'REILLY: Does anybody else have any questions?
MR. ABRAMS: This is Louis Abrams. I have no questions.
MS. O'REILLY: Anyone else on the question?

# EXHIBIT 62

WAYNE PERRY, INC.
*Environmental Remediation, Construction and Consulting*

November 4, 2010

Orange County Health Care Agency
Department of Public and Environmental Health
Hazardous Materials Management Section
1241 East Dyer Road
Santa Ana, CA. 92705-5611

Attention: Tamara Escobedo

**SUBJECT: GROUNDWATER MONITORING AND STATUS REPORT**
THIRD QUARTER 2010
FORMER TEXACO SERVICE STATION
9475 WARNER AVENUE (at Bushard Street)
FOUNTAIN VALLEY, CALIFORNIA
OCHCA CASE: 95UT033
SAP CODE: 121681
WPI PROJECT: 09.628

---

Dear Ms. Escobedo:

Wayne Perry, Inc. (WPI), on behalf of Equilon Enterprises LLC dba Shell Oil Products US (Shell), is submitting this Quarterly Groundwater Monitoring Report. This report includes a description of the groundwater monitoring activities, tables, figures showing groundwater data, copies of field data sheets, and analytical reporting.

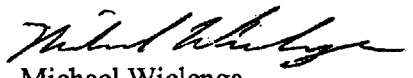
EXHIBIT 62

8281 Commonwealth Ave. Buena Park,California 90621 Phone (714) 826-0352 (800) 883-0352 Fax (714) 523-7880

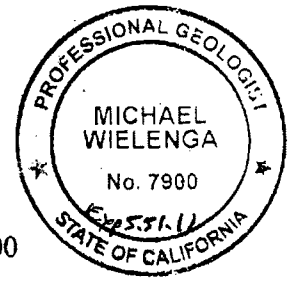
Groundwater gauging and sampling activities were performed by Blaine Tech Services, Inc. WPI does not accept responsibility as to the accuracy of the Blaine Tech Services, Inc. data.

If you have any questions regarding this report, please contact Mr. Michael Wielenga of WPI at (714) 826-0352. If you have any questions regarding the Blaine Tech Services, Inc. field data, please contact Mr. Francis Thie at (408) 573-0555. If you have any questions regarding this project, please contact Mr. Chris McDonald of WPI at (714) 826-0352 or Mr. Marvin Katz of Shell at (310) 550-5846.

Sincerely,
**WAYNE PERRY, INC.**



Michael Wielenga
California Professional Geologist 7900




Attachments: Summary of Site Conditions

Figure 1, Site Location Map
Figure 2, Plot Plan
Figure 3, Groundwater Elevation Contour Map
Figure 4, Hydrocarbon Distribution Map
Figure 5, TPPH Concentration Map
Figure 6, MTBE Isoconcentration Map
Figure 7, TBA Isoconcentration Map

Table 1, Current Groundwater Data
Table 2, Historical Groundwater Data

Appendix A, Blaine Tech Services, Inc. Groundwater Monitoring Report and Laboratory Analytical Report with Chain-of-Custody Documentation

Appendix B, Site History

cc: Mr. Marvin Katz, Shell Oil Products US

**TABLE 3**
**HISTORICAL GROUNDWATER DATA**
**FORMER TEXACO SERVICE STATION**
**9475 Warner Avenue, Fountain Valley**

| WELL | DATE | DEPTH TO GW (feet) | SPH THICKN (feet) | GW ELEV. (feet relative to MSL) | WELL DEPTH (feet) | TPH-G (µg/L) | TPPH (µg/L) | TPH-D (µg/L) | BENZENE (µg/L) | TOLUENE (µg/L) | ETHYL-BENZENE (µg/L) | TOTAL XYLENES (µg/L) | MTBE 8020(1) (µg/L) | MTBE (µg/L) | TBA (µg/L) | DIPE (µg/L) | ETBE (µg/L) | TAME (µg/L) | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| MW-1 | | Top of casing elevation (ft): 32.79 | | | | | | | Screen Interval: 8 to 23 | | | | | | | | | | |
| | 01/07/97 | | | | | <100 | | | <0.3 | <0.3 | <0.3 | 4.0 | 41 | | | | | | |
| | 03/12/97 | 9.98 | 0.00 | 22.81 | | 66 | | | 0.41 | 1.6 | 0.78 | 5.4 | 35 | | | | | | |
| | 09/30/97 | 12.35 | 0.00 | 20.44 | | <100 | | | <0.3 | 1.3 | <0.3 | <0.6 | 830 | | | | | | |
| | 12/15/97 | 10.43 | 0.00 | 22.36 | | <100 | | | <0.3 | <0.3 | <0.3 | <0.6 | 4100 | | | | | | |
| | 03/18/98 | 8.53 | 0.00 | 24.26 | | 1000 | | | <0.3 | <0.3 | <0.3 | <0.6 | 3100 | | | | | | |
| | 04/17/98 | 7.93 | 0.00 | 24.86 | | 800 | | | <0.3 | 5.6 | <0.3 | <0.6 | 5000 | | | | | | |
| | 08/05/98 | 9.78 | 0.00 | 23.01 | | 1350 | | | <0.3 | <0.3 | <0.3 | <0.6 | 17000 | | | | | | |
| | 08/05/98 | | | | | 2670 | | | <0.3 | <0.3 | <0.3 | <0.6 | 23800 | | | | | | |
| | 03/09/99 | 10.74 | 0.00 | 22.05 | 23.71 | 250 | | | <0.3 | <0.3 | <0.3 | <0.6 | 11500 | 12800 | | | | | |
| | 05/24/99 | 10.43 | 0.00 | 22.36 | 23.68 | 1120 | | | <0.3 | 0.4 | <0.3 | <0.6 | 14500 | 12700 | | | | | No purge sample |
| | 08/19/99 | 11.71 | 0.00 | 21.08 | 23.68 | 1700 | | | <0.3 | <0.3 | <0.3 | <0.6 | 4200 | | | | | | No purge sample |
| | 12/09/99 | 12.01 | 0.00 | 20.78 | 23.70 | 5500 | | | 1.7 | 0.6 | 0.8 | 2.2 | 15000 | 19000 | | | | | No purge sample |
| | 03/27/00 | 10.61 | 0.00 | 22.18 | 23.71 | 5400 | | | 0.5 | <0.3 | <0.3 | <0.6 | 30000 | 41000 | | | | | No purge sample |
| | 06/22/00 | 11.34 | 0.00 | 21.45 | 23.63 | 10000 | | | <0.3 | <0.3 | <0.3 | <0.6 | 19000 | 16000 | | | | | No purge sample |
| | 09/01/00 | Top of casing elevation (ft): 32.02 | | | | | | | | | | | | | | | | | |
| | 09/27/00 | 12.51 | 0.00 | 19.51 | 23.74 | 5600 | | | 0.4 | <0.3 | <0.3 | <0.6 | 17000 | 21000 | | | | | No purge sample |
| | 12/22/00 | 12.49 | 0.00 | 19.53 | 23.69 | 14000 | | | <10 | <20 | <20 | <40 | | 17000 | 16000 | <40 | <40 | <40 | No purge sample |
| | 03/28/01 | 10.45 | 0.00 | 21.57 | 23.79 | 2900 | | | <100 | <200 | <200 | <400 | | 21000 | 13000 | <400 | <400 | <400 | No purge sample |
| | 06/22/01 | 11.08 | 0.00 | 20.94 | 23.70 | 18000 | | | <100 | <200 | <200 | <200 | | 26000 | 15000 | <400 | <400 | <400 | No purge sample |
| | 08/27/01 | 11.91 | 0.00 | 20.11 | 23.70 | 22000 | | | <1.0 | <1 | <1 | <1 | | 33000 | 25000 | <10 | <10 | 11 | |
| | 12/29/01 | 12.82 | 0.00 | 19.20 | 23.70 | 17000 | | | <5.0 | <10 | <10 | <10 | | 32000 | 12000 | <20 | <20 | <20 | No purge sample |
| | 03/14/02 | 12.16 | 0.00 | 19.86 | 23.70 | 16000 | | | <50 | <100 | <100 | <100 | | 15000 | 28000 | <200 | <200 | <200 | No purge sample |
| | 06/24/02 | 13.41 | 0.00 | 18.61 | 23.70 | 8100 | | | 20 J | <100 | <100 | <100 | | 5800 | 17000 | <200 | <200 | <200 | No purge sample |
| | | Top of casing elevation (ft): 29.58 | | | | | | | | | | | | | | | | | |
| | 09/10/02 | 14.50 | 0.00 | 15.08 | 23.70 | 9600 | | | 31 J | <100 | <100 | <100 | | 6500 | 31000 | <200 | <200 | <200 | No purge sample |
| | 12/04/02 | 13.68 | 0.00 | 15.90 | 23.70 | <2500 | | | <25 | <50 | <50 | <50 | | 2000 | 27000 | <100 | <100 | <100 | No purge sample |
| | 03/10/03 | | | | | | | | | | | | | | | | | | Well Abandoned |
| | 06/20/03 | | | | | | | | | | | | | | | | | | Well Abandoned |
| MW-2 | | Top of casing elevation (ft): 32.24 | | | | | | | Screen Interval: 5 to 20 | | | | | | | | | | |
| | 08/05/98 | 9.44 | 0.00 | 22.80 | | <500 | | | <0.3 | <0.3 | <0.3 | <0.6 | <2 | | | | | | |
| | 08/05/98 | | | | | 4460 | | | 918 | 5.1 | 406 | 19.5 | 189 | | | | | | |
| | 03/09/99 | 10.26 | 0.00 | 21.98 | 20.33 | <500 | | | <0.3 | <0.3 | <0.3 | <0.6 | 9.6 | | | | | | |
| | 05/24/99 | 10.00 | 0.00 | 22.24 | 20.30 | <500 | | | <0.3 | <0.3 | <0.3 | <0.6 | <5.0 | | | | | | No purge sample |
| | 08/19/99 | 11.14 | 0.00 | 21.10 | 20.35 | 8000 | | | 0.8 | <0.3 | <0.3 | <0.6 | 21000 | 23000 | | | | | No purge sample |
| | 12/09/99 | 11.39 | 0.00 | 20.85 | 20.32 | <500 | | | <0.3 | 0.4 | <0.3 | 0.6 | 28 | 28 | | | | | No purge sample |
| | | Top of casing elevation (ft): 95.44 | | | | | | | | | | | | | | | | | |
| | 03/27/00 | 10.21 | 0.00 | 22.03 | 20.32 | <500 | | | <0.3 | <0.3 | <0.3 | <0.6 | 28 | | | | | | No purge sample |
| | 06/22/00 | 10.93 | 0.00 | 21.31 | 20.25 | <500 | | | <0.3 | <0.3 | <0.3 | <0.6 | 12 | | | | | | No purge sample |
| | 09/01/00 | Top of casing elevation (ft): 31.48 | | | | | | | | | | | | | | | | | |
| | 09/27/00 | 12.27 | 0.00 | 19.21 | 20.37 | <500 | | | 0.3 | <0.3 | <0.3 | <0.6 | <5.0 | | | | | | No purge sample |
| | 12/22/00 | 12.14 | 0.00 | 19.34 | 20.32 | <500 | | | <0.50 | <1.0 | <1.0 | <2.0 | | 14 | <50 | <2.0 | <2.0 | <2.0 | No purge sample |
| | 03/28/01 | 9.85 | 0.00 | 21.63 | 20.33 | <500 | | | <0.50 | <1.0 | <1.0 | <2.0 | | 19 | <50 | <2.0 | <2.0 | <2.0 | No purge sample |
| | 06/22/01 | 10.59 | 0.00 | 20.89 | 20.33 | 140 | | | <0.50 | <1.0 | <1.0 | <1.0 | | 240 | <50 | <2.0 | <2.0 | <2.0 | No purge sample |
| | 08/27/01 | 11.38 | 0.00 | 20.10 | 20.33 | <50 | | | <1.0 | <1 | <1 | <1 | | 23 | <100 | <10 | <10 | <10 | |
| | 12/29/01 | 12.22 | 0.00 | 19.26 | 20.33 | <50 | | | <0.5 | <1 | <1 | <1 | | 5.9 | <50 | <2 | <2 | <2 | No purge sample |
| | 03/14/02 | 11.58 | 0.00 | 19.90 | 20.33 | <50 | | | <0.5 | <1 | <1 | <1 | | <1.0 | <50 | <2 | <2 | <2 | No purge sample |
| | 06/24/02 | 12.93 | 0.00 | 18.55 | 20.33 | <50 | | | <0.5 | <1 | <1 | <1 | | 8.7 | <50 | <2 | <2 | <2 | No purge sample |
| | | Top of casing elevation (ft): 29.06 | | | | | | | | | | | | | | | | | |
| | 09/10/02 | 13.89 | 0.00 | 15.17 | 20.33 | <50 | | | <0.5 | <1 | <1 | <1 | | 5 | <50 | <2 | <2 | <2 | No purge sample |
| | 12/04/02 | 13.14 | 0.00 | 15.92 | 20.33 | <50 | | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.2 | <10 | <2.0 | <2.0 | <2.0 | No purge sample |
| | 03/10/03 | | | | | | | | | | | | | | | | | | Unable to locate |
| | 06/20/03 | | | | | | | | | | | | | | | | | | Unable to locate |
| | 09/16/03 | | | | | | | | | | | | | | | | | | Unable to locate |
| | 12/04/06 | | | | | | | | | | | | | | | | | | Unable to locate |
| | 12/07/06 | 9.47 | 0.00 | 85.97 | 20.18 | | | | | | | | | | | | | | |
| | 01/02/07 | 9.51 | 0.00 | 85.93 | 20.18 | <50 | | | <0.50 | <0.50 | <0.50 | <1.0 | | 1.2 | 13 | <1.0 | <1.0 | <1.0 | No purge sample |

**TABLE 3**
**HISTORICAL GROUNDWATER DATA**
**FORMER TEXACO SERVICE STATION**
**9475 Warner Avenue, Fountain Valley**

| WELL | DATE | DEPTH TO GW (feet) | SPH THICKN. (feet) | GW ELEV. (feet relative to MSL) | WELL DEPTH (feet) | TPH-G (ug/L) | TPPH (µg/L) | TPH-D (µg/L) | BENZENE (µg/L) | TOLUENE (µg/L) | ETHYL-BENZENE (µg/L) | TOTAL XYLENES (µg/L) | MTBE 8020(1) (µg/L) | MTBE (µg/L) | TBA (µg/L) | DIPE (µg/L) | ETBE (µg/L) | TAME (µg/L) | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **MW-19** | | **Top of casing elevation (ft): 32.36** | | | | | | | **Screen Interval: 5 to 20** | | | | | | | | | | |
| | 06/25/08 | 11.60 | 0.00 | 20.76 | 19.53 | | | | | | | | | | | | | | |
| | 07/15/08 | 11.66 | 0.00 | 20.70 | 19.64 | | 67 | | <0.50 | <1.0 | <1.0 | <1.0 | | 11 | 610 | <2.0 | <2.0 | <2.0 | |
| | 12/30/08 | 10.83 | 0.00 | 21.53 | 19.81 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 3.1 | 530 | <2.0 | <2.0 | <2.0 | |
| | 03/18/09 | 10.16 | 0.00 | 22.20 | 19.86 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.8 | 540 | <2.0 | <2.0 | <2.0 | |
| | 06/16/09 | 10.76 | 0.00 | 21.60 | 19.90 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 2.7 | 230 | <2.0 | <2.0 | <2.0 | |
| | 09/24/09 | 11.20 | 0.00 | 21.16 | 19.72 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 3.4 | 140 | <2.0 | <2.0 | <2.0 | |
| | 12/21/09 | 11.18 | 0.00 | 21.18 | 19.53 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 3.6 | 170 | <2.0 | <2.0 | <2.0 | |
| | 03/18/10 | 9.13 | 0.00 | 23.23 | 19.38 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 3.3 | 170 | <2.0 | <2.0 | <2.0 | |
| | 06/24/10 | 9.33 | 0.00 | 23.03 | 19.32 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 3.3 | 37 | <2.0 | <2.0 | <2.0 | |
| | 09/21/10 | 10.26 | 0.00 | 22.10 | 19.26 | | ND<50 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 2.1 | 23 | ND<2.0 | ND<2.0 | ND<2.0 | |
| **MW-20** | | **Top of casing elevation (ft): 32.35** | | | | | | | **Screen Interval: 5 to 20** | | | | | | | | | | |
| | 06/25/08 | 11.43 | 0.00 | 20.92 | 19.40 | | | | | | | | | | | | | | |
| | 07/15/08 | 11.46 | 0.00 | 20.89 | 19.82 | | <50 | | 0.68 | <1.0 | <1.0 | <1.0 | | 1.4 | 440 | <2.0 | <2.0 | <2.0 | |
| | 12/30/08 | 10.45 | 0.00 | 21.90 | 20.01 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 100 | <2.0 | <2.0 | <2.0 | |
| | 03/18/09 | 10.00 | 0.00 | 22.35 | 20.06 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | 89 | <2.0 | <2.0 | <2.0 | |
| | 06/16/09 | 10.63 | 0.00 | 21.72 | 19.98 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | 160 | <2.0 | <2.0 | <2.0 | |
| | 09/24/09 | 11.08 | 0.00 | 21.27 | 19.90 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 140 | <2.0 | <2.0 | <2.0 | |
| | 12/21/09 | 11.12 | 0.00 | 21.23 | 19.33 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 160 | <2.0 | <2.0 | <2.0 | |
| | 03/18/10 | 9.26 | 0.00 | 23.09 | 19.32 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 82 | <2.0 | <2.0 | <2.0 | |
| | 06/24/10 | 9.38 | 0.00 | 22.97 | 19.04 | | 67 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 220 | <2.0 | <2.0 | <2.0 | |
| | 09/21/10 | 10.25 | 0.00 | 22.10 | 19.10 | | ND<50 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 1.1 | 830 | ND<2.0 | ND<2.0 | ND<2.0 | |
| **MW-21** | | **Top of casing elevation (ft): 31.93** | | | | | | | **Screen Interval: 5 to 20** | | | | | | | | | | |
| | 06/25/08 | 11.07 | 0.00 | 20.86 | 20.04 | | | | | | | | | | | | | | |
| | 07/15/08 | 11.14 | 0.00 | 20.79 | 19.71 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | 19 | <2.0 | <2.0 | <2.0 | |
| | 12/30/08 | 10.00 | 0.00 | 21.93 | 20.01 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | <10 | <2.0 | <2.0 | <2.0 | |
| | 03/18/09 | 9.56 | 0.00 | 22.37 | 20.06 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | 160 | <2.0 | <2.0 | <20. | |
| | 06/16/09 | 10.19 | 0.00 | 21.74 | 20.01 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | 91 | <2.0 | <2.0 | <2.0 | |
| | 09/24/09 | 10.62 | 0.00 | 21.31 | 19.96 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.4 | 18 | <2.0 | <2.0 | <2.0 | |
| | 12/21/09 | 10.69 | 0.00 | 21.24 | 19.97 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.2 | <10 | <2.0 | <2.0 | <2.0 | |
| | 03/18/10 | 8.92 | 0.00 | 23.01 | 19.92 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | <10 | <2.0 | <2.0 | <2.0 | |
| | 06/24/10 | 8.89 | 0.00 | 23.04 | 19.88 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 1.1 | <10 | <2.0 | <2.0 | <2.0 | |
| | 09/21/10 | 9.83 | 0.00 | 22.10 | 19.84 | | ND<50 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 1.1 | ND<10 | ND<2.0 | ND<2.0 | ND<2.0 | |
| **MW-22** | | **Top of casing elevation (ft): 33.28** | | | | | | | **Screen Interval: 5 to 20** | | | | | | | | | | |
| | 12/15/09 | 12.90 | 0.00 | 20.38 | 20.06 | | | | | | | | | | | | | | |
| | 12/21/09 | 12.83 | 0.00 | 20.45 | 19.97 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | <10 | <2.0 | <2.0 | <2.0 | |
| | 03/18/10 | 11.97 | 0.00 | 21.31 | 19.22 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | <10 | <2.0 | <2.0 | <2.0 | |
| | 06/24/10 | 11.50 | 0.00 | 21.78 | 20.08 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | <1.0 | <10 | <2.0 | <2.0 | <2.0 | |
| | 09/21/10 | 12.03 | 0.00 | 21.25 | 20.00 | | ND<50 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | ND<1.0 | ND<10 | ND<2.0 | ND<2.0 | ND<2.0 | |
| **MW-23** | | **Top of casing elevation (ft): 32.50** | | | | | | | **Screen Interval: 5 to 20** | | | | | | | | | | |
| | 12/15/09 | 12.29 | 0.00 | 20.21 | 19.95 | | | | | | | | | | | | | | |
| | 12/21/09 | 12.21 | 0.00 | 20.29 | 19.93 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 26 | <10 | <2.0 | <2.0 | <2.0 | |
| | 03/18/10 | 11.34 | 0.00 | 21.16 | 19.93 | | <50 | | <0.50 | <1.0 | <1.0 | <1.0 | | 37 | <10 | <2.0 | <2.0 | <2.0 | |
| | 06/24/10 | 10.90 | 0.00 | 21.60 | 19.88 | | 66 | | <0.50 | <1.0 | <1.0 | <1.0 | | 48 | <10 | <2.0 | <2.0 | <2.0 | |
| | 09/21/10 | 11.58 | 0.00 | 20.92 | 19.85 | | 73 | | ND<0.50 | ND<1.0 | ND<1.0 | ND<1.0 | | 51 | ND<10 | ND<2.0 | ND<2.0 | ND<2.0 | |

**Notes:**
1. ND - Not detected
2. TBA - Tertiary-butyl alcohol
3. DIPE - Diisopropyl ether
4. ETBE - Ethyl tertiary-butyl ether
5. TAME - Tertiary-amyl methyl ether
6. DO - Dissolved oxygen
7. J - Estimated value between the Method Detection Limit and the Practical Quantitation Limit
8. Data prior to August 28, 2001 provided by Wayne Perry, Inc.
9. Site resurveyed on February 26, 2002. Survey data provided by WGR Southwest, Inc.
10. * - The sample chromatogram does not match that of the standard. Quantitation was based on the standard.

# EXHIBIT 63

HARGIS + ASSOCIATES, INC.

SITE SUMMARY: TEXACO 121681
(GLOBAL ID # T0605902005)

GENERAL SITE INFORMATION

*Site Address:* 9475 Warner Ave, Fountain Valley, California 92708 (Figures 1 and 2)

*Previous Site Operations:* Former Texaco/Shell Service Station

*Current Site Operations:* Strip Mall as of 2006

*Latest Document Reviewed:* September 5, 2008

KEY ISSUES

- Methyl tert-butyl ether (MTBE) was released at the Site prior to December 1998 and can be traced from the source to groundwater in the Semi-perched Aquifer beneath the Site. Groundwater contamination has not been hydraulically contained and the historical and current extent of MTBE and tert-butyl alcohol (TBA) plumes has not been fully delineated.

- The vertical extent of the MTBE and TBA plumes has not been investigated in the source area or downgradient of the Site.

- Moderate to high concentrations of MTBE (120 micrograms per liter [ug/l]) and TBA (55,000 ug/l) are currently (2007) detected in Semi-perched Aquifer groundwater beneath the Site.

- Within a quarter mile radius of the Site there is one well that could provide vertical contaminant migration pathways. Oil production well SHELL-HOE1 is located approximately 600 feet southeast of the Site. The screened interval and sanitary seal information is unknown for this well. Therefore, this well could provide a preferential pathway for contaminant migration.

- Production wells NB-DOLS/1 and NB-DOLD/1 are major active public supply wells located approximately 3,000 feet southeast of the Site. Production wells NB-DOLS/1 and NB-DOLD/1 are screened in the Alpha to Lambda, and Omicron to Main Aquifers, respectively, and have been heavily used for production with average pumping rates of 150 and 220 acre feet per month, respectively, over the last ten years. MTBE has historically been detected in NB-DOLS/1.

and 12.6 feet msl (regional monitor well OCWD-SA-12), respectively (Geotracker 005207; OCWD WRMS). Therefore, a downward vertical gradient exists between the Semi-perched Aquifer and the underlying Talbert Aquifer. Regional monitor well OCWD-SA-12 has additional multi-level screens in the Beta and Lambda Aquifers which had January 2007 water level elevations of 4.0 feet msl and 1.4 feet msl, respectively, suggesting the downward vertical gradient extends as deep as the Lambda Aquifer (OCWD WRMS).

Production wells NB-DOLS/1 and NB-DOLD/1 are the nearest potentially vulnerable production wells located approximately 3,000 feet southeast of the Site (Figure 2). Production well NB-DOLS/1 is screened between 201 and 356 feet bgs in the Alpha, Beta, and Lambda Aquifers; and production well NB-DOLD/1 is screened between 399 and 739 feet bgs in the Omicron, Upper and Lower Rho, and Main Aquifers (OCWD WRMS). Figures 4 and 5 compare water levels measured in on-Site upper semi-perched zone monitor wells MW-1 and MW-6 and production rates in production wells NB-DOLS/1 and NB-DOLD/1. Production wells NB-DOLS/1 and NB-DOLD/1 have been heavily used for production with an average pumping rate of 150 and 220 acre feet per month, respectively, over the last ten years (OCWD WRMS) (Figures 4 and 5). Groundwater levels beneath the Site appear to be influenced by pumping from production wells within the area.

# EXHIBIT 64

**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

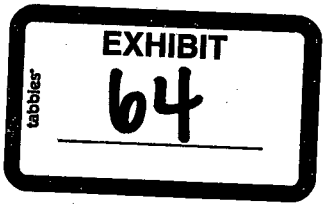
| | |
|---|---|
| In re: *Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation* | MDL NO. 1358<br>C.A. No. 1:00-1898 (SAS) |
| This Document Relates To:<br><br>*County of Suffolk and Suffolk County Water Authority v. Amerada Hess Corp*;<br><br>*City of New York v. Amerada Hess Corp.*; and<br><br>*Orange County Water District v. Unocal Corp.* | **DECLARATION OF UNOCAL CORPORATION and UNION OIL COMPANY OF CALIFORNIA IN COMPLIANCE WITH CASE MANAGEMENT ORDER NO. 4** |

I, Morgan Clark, an authorized representative of Defendants Union Oil Company of California ("Union Oil") and Unocal Corporation ("Unocal"), make the following declaration under penalty of perjury.

1. I am employed by Union Oil as General Manager of Commercial Affairs, and I am familiar with the operations of Union Oil and Unocal.

2. I am authorized to declare the information set forth herein for and on behalf of Union Oil and Unocal. To the extent any of these facts are not within my personal knowledge, I am informed by authorized agents of Union Oil and Unocal that the facts stated herein are true.

3. The facts contained herein relate to the categories of information Union Oil and Unocal are required to provide under the Case Management Order No. 4, dated October 19, 2004. These facts are based upon all non-privileged information, including documents, within the possession, custody or control of Union Oil and Unocal and retrievable through reasonable effort.



## PRELIMINARY STATEMENT

4. Unocal Corporation has not owned or operated any service stations, terminals, refineries, pipelines, bulk plants, or other similar facilities for marketing or distributing gasoline in the Relevant Geographic Areas of the focus cases addressed in this declaration during relevant time periods.

5. Union Oil is a wholly owned subsidiary of Unocal Corporation. Union Oil has never owned or operated, leased, or supplied gasoline under a retail supply contract to, service stations in the Relevant Geographic Areas of the *Suffolk County*[1] and *City of New York*[2] cases. Union Oil has owned or operated, leased, or supplied under a retail supply contract, service stations in the Relevant Geographic Area of the *Orange County Water District*[3] case during certain time periods described below.

6. As of March 31, 1997, Union Oil sold and transferred to Tosco Corporation all its ownership, leasehold, and possessory interests in its then-operating service stations, refineries, terminals, pipelines, bulk plants, and similar facilities for refining, marketing or distributing gasoline. Since March 31, 1997, Union Oil has not owned or operated any service station, refinery, terminal, pipeline, bulk plant or similar facility for refining, marketing or distributing gasoline in the Relevant Geographic Area of any of the focus cases addressed by this declaration. Most documents and records associated with the operations and facilities also were transferred to Tosco at the time of the sale; therefore, certain documents that may contain information responsive or potentially responsive to the requests set forth in Case Management Order No. 4 are no longer in the possession, custody or control of Unocal or Union Oil.

---

[1] *County of Suffolk and Suffolk County Water Authority v. Amerada Hess Corp*; et al., New York State Supreme Court, Index No. 02-22305 (filed 8/19/02)

[2] *City of New York v. Amerada Hess Corp.*, New York Supreme Court, County of Queens, Index No. 25720103.

3 *Orange County Water District v. Unocal Corp., et al.*, Orange County Superior Court, Case No. 03CC00176 (filed 5/6/03).

The information set forth in the foregoing declaration was assembled by employees of Unocal Corporation and Union Oil Company of California from said companies' records and files by personnel in the appropriate offices, departments, and divisions of said companies and by said companies' counsel. I am informed and believe that the matters stated herein are true and on that ground aver that the matters stated therein are true to my information and belief.

DATE: December 21, 2004

Morgan Clark

Morgan Clark